

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2483

Chapter 229, Laws of 2012

(partial veto)

62nd Legislature
2012 Regular Session

HIGHER EDUCATION COORDINATION

EFFECTIVE DATE: 06/07/12 - Except sections 101, 117, 401, 402, 501 through 569, 571 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904, which become effective 07/01/12.

Passed by the House March 8, 2012
Yeas 72 Nays 26

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 8, 2012
Yeas 49 Nays 0

BRAD OWEN

President of the Senate

Approved March 30, 2012, 11:53 a.m.,
with the exception of Section 570 which
is vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2483** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 30, 2012

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2483

AS AMENDED BY THE SENATE

Passed Legislature - 2012 Regular Session

State of Washington 62nd Legislature 2012 Regular Session

By House Ways & Means (originally sponsored by Representatives
Seaquist, Haler, Zeiger, and Kelley; by request of Governor Gregoire)

READ FIRST TIME 03/05/12.

1 AN ACT Relating to higher education coordination; amending RCW
2 28B.77.005, 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240,
3 28B.76.270, 28B.76.325, 28B.76.510, 28B.76.695, 44.04.260, 43.88.230,
4 28B.76.280, 28B.76.310, 28B.76.090, 28B.118.010, 9A.60.070, 18.260.110,
5 28A.175.130, 28A.600.280, 28A.600.390, 28A.660.050, 28B.07.040,
6 28B.10.020, 28B.10.053, 28B.10.118, 28B.10.400, 28B.10.405, 28B.10.410,
7 28B.10.415, 28B.10.423, 28B.10.784, 28B.10.790, 28B.12.030, 28B.12.040,
8 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.068, 28B.15.068, 28B.15.102,
9 28B.15.460, 28B.15.762, 28B.30.515, 28B.45.014, 28B.45.020, 28B.45.030,
10 28B.45.040, 28B.45.080, 28B.50.140, 28B.50.820, 28B.65.040, 28B.65.050,
11 28B.76.250, 28B.85.010, 28B.85.020, 28B.85.030, 28B.85.040, 28B.85.050,
12 28B.85.060, 28B.85.070, 28B.85.080, 28B.85.090, 28B.85.100, 28B.85.130,
13 28B.85.170, 28B.90.010, 28B.90.020, 28B.90.030, 28B.92.030, 28B.92.070,
14 28B.92.082, 28B.97.020, 28B.102.030, 28B.108.040, 28B.109.010,
15 28B.110.030, 28B.110.040, 28B.116.030, 28B.117.020, 28B.120.010,
16 28B.120.020, 28B.120.025, 28B.120.030, 28B.120.040, 28C.10.030,
17 28C.10.040, 28C.18.030, 28C.18.060, 35.104.020, 35.104.040, 42.17A.705,
18 43.06.115, 43.19.797, 43.41.400, 43.41A.100, 43.88.090, 43.105.825,
19 43.215.090, 43.330.310, 43.330.375, 47.80.090, 70.180.110, 74.13.570,
20 28A.175.135, 28B.12.070, 28B.15.764, 28B.76.505, 28B.92.080,
21 28B.95.020, 28B.103.030, 28B.108.020, 28B.117.030, 28B.15.069,

1 28A.600.310, 28B.15.380, 28B.15.730, 28B.15.734, 28B.15.750,
2 28B.15.756, 28A.600.290, 28A.700.020, 28A.700.060, 28B.20.130,
3 28B.30.150, 28B.20.308, 28B.20.478, 28B.30.530, 28B.35.120, 28B.35.202,
4 28B.35.205, 28B.35.215, 28B.40.120, 28B.40.206, 28B.45.060, 28B.50.810,
5 43.09.440, 43.43.934, 43.43.938, 43.60A.151, and 43.88D.010; amending
6 2011 1st sp.s. c 11 s 244 (uncodified); reenacting and amending RCW
7 28B.76.2401, 28A.230.100, 28B.15.760, 28B.50.030, 28B.92.060,
8 28B.102.020, 28B.116.010, and 43.330.280; adding new sections to
9 chapter 28B.77 RCW; adding new sections to chapter 44.04 RCW; adding
10 new sections to chapter 43.41 RCW; creating new sections; recodifying
11 RCW 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240,
12 28B.76.2401, 28B.76.250, 28B.76.270, 28B.76.280, 28B.76.325,
13 28B.76.510, 28B.76.695, and 28B.76.310; decodifying RCW 28B.10.125;
14 repealing RCW 28B.76.290, 28B.10.682, 28B.15.732, 28B.15.752,
15 28B.15.796, 28B.20.280, 28B.30.500, and 43.88D.005; providing an
16 effective date; and providing expiration dates.

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

18 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.77 RCW
19 to read as follows:

20 The legislature recognizes that increasing educational attainment
21 is critical to the social and economic well-being of Washington. It is
22 the intent of the legislature to create the student achievement council
23 to provide the focus and propose the goals for increasing educational
24 attainment including improving student transitions from secondary to
25 postsecondary education and training and between and among
26 postsecondary institutions.

27 The legislature finds that increasing educational attainment is
28 essential for maintaining the health of a democratic society and the
29 competitiveness of the state in the global economy. By increasing
30 educational attainment, students will develop into citizens who are
31 more capable of critical thinking, more aware of their world and its
32 diversity, more creative in their problem-solving, and more successful
33 in addressing social and economic challenges of the future in an
34 informed and thoughtful way.

35 The legislature finds that educational attainment is a powerful
36 predictor of well-being. Students who have completed higher levels of

1 education or training are more likely to achieve success in work or
2 life and less likely to require taxpayer support. Education is perhaps
3 the most important engine of economic growth and individual and
4 financial health. Success in growing a stronger economy and democracy
5 and lifting incomes and well-being depends upon increasing educational
6 attainment.

7 The legislature recognizes that reaching the overall objective of
8 increased educational attainment means that Washington's education
9 systems must enable many more students to gain meaningful high school
10 diplomas, postsecondary certificates, associate degrees, bachelor's
11 degrees, and graduate degrees.

12 The legislature recognizes that the requirement for academic
13 attainment is increasing. According to various academic studies,
14 Washington's economy is becoming even more highly dependent on workers
15 with postsecondary education. Other studies indicate that rates of
16 successful participation in higher education by Washington residents,
17 especially among lower-income and disadvantaged persons, are among the
18 lowest in the nation.

19 Due to the large and growing gap between education requirements and
20 achievement, it is the intent of the legislature to focus on increased
21 educational attainment as a key priority and to closely track progress
22 towards meeting this statewide objective.

23 **PART I**
24 **STUDENT ACHIEVEMENT COUNCIL**

25 **Sec. 101.** RCW 28B.77.005 and 2011 1st sp.s. c 11 s 301 are each
26 amended to read as follows:

27 (1) On July 1, 2012, the higher education coordinating board is
28 abolished and the student achievement council ((for higher education))
29 is created ((subject to the recommendations of the higher education
30 steering committee established in section 302, chapter 11, Laws of 2011
31 1st sp. sess. and implementing legislation enacted by the 2012
32 legislature)).

33 (2) The council is composed of nine voting members as provided in
34 this subsection.

35 (a) Five citizen members shall be appointed by the governor with
36 the consent of the senate. One of the citizen members shall be a

1 student. The citizen members shall be selected based on their
2 knowledge of or experience in higher education. In making appointments
3 to the council, the governor shall give consideration to citizens
4 representing labor, business, women, and racial and ethnic minorities,
5 as well as geographic representation, to ensure that the council's
6 membership reflects the state's diverse population. The citizen
7 members shall serve for four-year terms except for the student member,
8 who shall serve for one year; however, the terms of the initial members
9 shall be staggered.

10 (b) A representative of an independent nonprofit higher education
11 institution as defined in RCW 28B.07.020(4), selected by an association
12 of independent nonprofit baccalaureate degree-granting institutions.
13 The representative appointed under this section shall excuse himself or
14 herself from voting on matters relating primarily to public
15 institutions of higher education.

16 (c) Chosen for their recognized ability and innovative leadership
17 experience in broad education policy and system design, a
18 representative of each of the following shall be selected by the
19 respective organizations, who shall serve at the pleasure of the
20 appointing organizations:

21 (i) A representative of the four-year institutions of higher
22 education as defined in RCW 28B.10.016, selected by the presidents of
23 those institutions;

24 (ii) A representative of the state's community and technical
25 college system, selected by the state board for community and technical
26 colleges; and

27 (iii) A representative of the state's K-12 education system,
28 selected by the superintendent of public instruction in consultation
29 with the department of early learning and the state board of education.
30 The representative appointed under this subsection (2)(c)(iii) shall
31 excuse himself or herself from voting on matters relating primarily to
32 institutions of higher education.

33 (3) The chair shall be selected by the council from among the
34 citizen members appointed to the council. The chair shall serve a one-
35 year term but may serve more than one term if selected to do so by the
36 membership.

37 (4) The council may create advisory committees on an ad hoc basis
38 for the purpose of obtaining input from students, faculty, and higher

1 education experts and practitioners, citizens, business and industry,
2 and labor, and for the purpose of informing their research, policy, and
3 programmatic functions. Ad hoc advisory committees addressing
4 secondary to postsecondary transitions and university and college
5 admissions requirements must include K-12 sector representatives
6 including teachers, school directors, principals, administrators, and
7 others as the council may direct, in addition to higher education
8 representatives. The council shall maintain a contact list of K-12 and
9 higher education stakeholder organizations to provide notices to
10 stakeholders regarding the purposes of ad hoc advisory committees,
11 timelines for planned work, means for participation, and a statement of
12 desired outcomes.

13 (5) Any vacancies on the council shall be filled in the same manner
14 as the original appointments. Appointments to fill vacancies shall be
15 only for such terms as remain unexpired. Any vacancies among council
16 members appointed by the governor shall be filled by the governor
17 subject to confirmation by the senate and shall have full authority to
18 act before the time the senate acts on their confirmation.

19 NEW SECTION. Sec. 102. The definitions in this section apply
20 throughout this chapter unless the context clearly requires otherwise.

21 (1) "Committee" means the joint higher education committee.

22 (2) "Council" means the student achievement council.

23 (3) "Education data center" means the education data center
24 established in the office of financial management as provided under RCW
25 43.41.400.

26 (4) "Four-year institutions of higher education" means the
27 University of Washington, Washington State University, Central
28 Washington University, Eastern Washington University, Western
29 Washington University, and The Evergreen State College.

30 (5) "Major expansion" means expansion of the higher education
31 system that requires significant new capital investment, including
32 building new institutions, campuses, branches, or centers or conversion
33 of existing campuses, branches, or centers that would result in a
34 mission change.

35 (6) "Mission change" means a change in the level of degree awarded
36 or institutional type not currently authorized in statute.

1 (7) "Office" means the office of student financial assistance
2 created in RCW 28B.76.090.

3 NEW SECTION. **Sec. 103.** (1) Guided by the state's overarching
4 objective of substantially increasing educational attainment for the
5 purposes outlined in section 1 of this act, the council has a dual
6 mission:

7 (a) To propose to the governor and the legislature goals for
8 increasing educational attainment in Washington, recommend the
9 resources necessary to achieve the goals, and monitor progress toward
10 meeting the goals;

11 (b) To propose to the governor, the legislature, and the state's
12 educational institutions, improvements and innovations needed to
13 continually adapt the state's educational institutions to evolving
14 educational attainment needs; and

15 (c) To advocate for higher education through various means, with
16 the goal of educating the general public on the economic, social, and
17 civic benefits of postsecondary education, and the consequent need for
18 increased financial support and civic commitment in the state.

19 (2) In the pursuit of the missions the council links the work of
20 educational programs, schools, and institutions from secondary through
21 postsecondary education and training and through careers. The council
22 must connect the work of the superintendent of public instruction, the
23 state board of education, the professional educator standards board,
24 the state board for community and technical colleges, the workforce
25 training and education coordinating board, and the four-year
26 institutions of higher education, as well as the independent schools
27 and colleges.

28 (3) Drawing on the staff expertise of the council and other state,
29 national, and international analysis and research assets, the council
30 must also take a leading role in facilitating educational attainment
31 analysis and research leading to increased educational attainment and
32 education system development.

33 NEW SECTION. **Sec. 104.** (1) Aligned with the state's biennial
34 budget and policy cycles, the council shall propose educational
35 attainment goals and priorities to meet the state's evolving needs.

1 The council shall identify strategies for meeting the goals and
2 priorities by means of a short-term strategic action plan and a ten-
3 year plan that serves as a roadmap.

4 (a) The goals must address the needs of Washington residents to
5 reach higher levels of educational attainment and Washington's
6 workforce needs for certificates and degrees in particular fields of
7 study.

8 (b) The council shall identify the resources it deems appropriate
9 to meet statewide goals and also recognize current state economic
10 conditions and state resources.

11 (c) In proposing goals, the council shall collaborate with the
12 superintendent of public instruction, the professional educator
13 standards board, the state board of education, the state board for
14 community and technical colleges, the four-year institutions of higher
15 education, independent colleges and degree-granting institutions,
16 certificate-granting institutions, and the workforce training and
17 education coordinating board.

18 (2) The council shall update the strategic action plan every two
19 years with the first strategic action plan to be submitted to the
20 governor and the legislature by December 1, 2012. The ten-year roadmap
21 must be updated every two years with the first roadmap to be submitted
22 to the governor and the legislature by December 1, 2013. The council
23 must provide regular updates to the joint higher education committee
24 created in section 201 of this act as needed.

25 (3) In order to develop the ten-year roadmap, the council shall
26 conduct strategic planning in collaboration with agencies and
27 stakeholders and include input from the legislature. The roadmap must
28 encompass all sectors of higher education, including secondary to
29 postsecondary transitions. The roadmap must outline strategies that
30 address:

31 (a) Strategic planning, which includes setting benchmarks and goals
32 for long-term degree production generally and in particular fields of
33 study;

34 (b) Expanding access, affordability, quality, efficiency, and
35 accountability among the various institutions of higher education;

36 (c) Higher education finance planning and strategic investments
37 including budget recommendations necessary to meet statewide goals;

38 (d) System design and coordination;

- 1 (e) Improving student transitions;
- 2 (f) Higher education data and analysis, in collaboration with the
3 education data center, which includes outcomes for recruitment,
4 retention, and success of students;
- 5 (g) College and career access preparedness, in collaboration with
6 the office of the superintendent of public instruction and the state
7 board of education;
- 8 (h) Expanding participation and success for racial and ethnic
9 minorities in higher education;
- 10 (i) Development and expansion of innovations in higher education
11 including innovations to increase attainment of postsecondary
12 certificates, and associate, baccalaureate, graduate, and professional
13 degrees; and innovations to improve precollege education in terms of
14 cost-effectiveness and transitions to college-level education; and
- 15 (j) Relevant policy research.
- 16 (4) As needed, the council must conduct system reviews consistent
17 with RCW 28B.76.230 (as recodified by this act).
- 18 (5) The council shall facilitate the development and expansion of
19 innovative practices within, between, and among the sectors to increase
20 educational attainment and assess the effectiveness of the innovations.
- 21 (6) The council shall use the data and analysis produced by, and in
22 consultation with, the education data center created in RCW 43.41.400
23 in developing policy recommendations and proposing goals. In
24 conducting research and analysis the council at a minimum must:
- 25 (a) Identify barriers to increasing educational attainment,
26 evaluate effectiveness of various educational models, identify best
27 practices, and recommend methods to overcome barriers;
- 28 (b) Analyze data from multiple sources including data from academic
29 research and from areas and agencies outside of education including but
30 not limited to data from the department of health, the department of
31 corrections, and the department of social and health services to
32 determine best practices to remove barriers and to improve educational
33 attainment;
- 34 (c) Assess educational achievement disaggregated by income level,
35 age, gender, race and ethnicity, country of origin, and other relevant
36 demographic groups working with data from the education data center;
- 37 (d) Track progress toward meeting the state's goals;

1 (e) Communicate results and provide access to data analysis to
2 policymakers, the superintendent of public instruction, institutions of
3 higher education, students, and the public; and

4 (f) Use data from the education data center wherever appropriate to
5 conduct duties in (a) through (e) of this subsection.

6 (7) The council shall collaborate with the appropriate state
7 agencies and stakeholders, including the state board of education, the
8 office of the superintendent of public instruction, the state board for
9 community and technical colleges, the workforce training and education
10 coordinating board, and the four-year institutions of higher education
11 to improve student transitions and success including but not limited
12 to:

13 (a) Setting minimum college admission standards for four-year
14 institutions of higher education, including a requirement that
15 coursework in American sign language or an American Indian language
16 satisfies any requirement for instruction in a language other than
17 English that the council or the institutions may establish as a general
18 undergraduate admissions requirement;

19 (b) Proposing comprehensive policies and programs to encourage
20 students to prepare for, understand how to access, and pursue
21 postsecondary college and career programs, including specific policies
22 and programs for students with disabilities;

23 (c) Recommending policies that require coordination between or
24 among sectors such as dual high school-college programs, awarding
25 college credit for advanced high school work, and transfer between two
26 and four-year institutions of higher education or between different
27 four-year institutions of higher education; and

28 (d) Identifying transitions issues and solutions for students, from
29 high school to postsecondary education including community and
30 technical colleges, four-year institutions of higher education,
31 apprenticeships, training, or workplace education; between two-year and
32 four-year institutions of higher education; and from postsecondary
33 education to career. In addressing these issues the council must
34 recognize that these transitions may occur multiple times as students
35 continue their education.

36 (8) The council directs the work of the office, which includes
37 administration of student financial aid programs under RCW 28B.76.090,

1 including the state need grant and other scholarships, the Washington
2 advanced college tuition payment program, and work-study programs.

3 (9) The council may administer state and federal grants and
4 programs including but not limited to those programs that provide
5 incentives for improvements related to increased access and success in
6 postsecondary education.

7 (10) The council shall protect higher education consumers
8 including:

9 (a) Approving degree-granting postsecondary institutions consistent
10 with existing statutory criteria;

11 (b) Establishing minimum criteria to assess whether students who
12 attend proprietary institutions of higher education shall be eligible
13 for the state need grant and other forms of state financial aid.

14 (i) The criteria shall include retention rates, completion rates,
15 loan default rates, and annual tuition increases, among other criteria
16 for students who receive state need grant as in chapter 28B.92 RCW and
17 any other state financial aid.

18 (ii) The council may remove proprietary institutions of higher
19 education from eligibility for the state need grant or other form of
20 state financial aid if it finds that the institution or college does
21 not meet minimum criteria.

22 (iii) The council shall report by December 1, 2014, to the joint
23 higher education committee in section 201 of this act on the outcomes
24 of students receiving state need grants, impacts on meeting the state's
25 higher education goals for educational attainment, and options for
26 prioritization of the state need grant and possible consequences of
27 implementing each option. When examining options for prioritizing the
28 state need grant the council shall consider awarding grants based on
29 need rather than date of application and making awards based on other
30 criteria selected by the council.

31 (11) The council shall adopt residency requirements by rule.

32 (12) The council shall arbitrate disputes between and among four-
33 year institutions of higher education and the state board for community
34 and technical colleges at the request of one or more of the
35 institutions involved, or at the request of the governor, or from a
36 resolution adopted by the legislature. The decision of the council
37 shall be binding on the participants in the dispute.

1 (13) The council may solicit, accept, receive, and administer
2 federal funds or private funds, in trust, or otherwise, and contract
3 with foundations or with for-profit or nonprofit organizations to
4 support the purposes and functions of the council.

5 (14) The council shall represent the broad public interest above
6 the interests of the individual institutions of higher education.

7 NEW SECTION. **Sec. 105.** (1) The council shall adopt bylaws and
8 shall meet at least four times each year and at such other times as
9 determined by the chair who shall give reasonable prior notice to the
10 members.

11 (2) Councilmembers are expected to consistently attend meetings.
12 The chair of the council may remove any member who misses more than two
13 meetings in any calendar year without cause. Any member so removed
14 must be replaced as provided under RCW 28B.77.005.

15 NEW SECTION. **Sec. 106.** Councilmembers shall be compensated in
16 accordance with RCW 43.03.240 and reimbursed for travel expenses
17 incurred in carrying out the duties of the council in accordance with
18 RCW 43.03.050 and 43.03.060.

19 NEW SECTION. **Sec. 107.** (1) The council shall employ an executive
20 director. The executive director shall be appointed by the governor
21 from a list of three names submitted by the council. However, the
22 governor may request, and the council shall provide, an additional list
23 or lists from which the governor shall select the executive director.
24 The governor may dismiss the executive director only with the approval
25 of a majority vote of the council. The council, by a majority vote,
26 may dismiss the executive director.

27 (2) The executive director may employ necessary deputy and
28 assistant directors and other exempt staff under chapter 41.06 RCW, who
29 shall serve at the executive director's pleasure on such terms and
30 conditions as he or she determines. Subject to the provisions of
31 chapter 41.06 RCW, the executive director may appoint and employ such
32 other employees as may be required for the proper discharge of the
33 functions of the council.

1 colleges, the office of financial management, and the joint higher
2 education committee.

3 ~~((The institutions and the state board for community and~~
4 ~~technical colleges shall submit an outline of their proposed operating~~
5 ~~budgets to the board no later than July 1st of each even-numbered year.~~
6 ~~Pursuant to guidelines developed by the board, operating budget~~
7 ~~outlines submitted by the institutions and the state board for~~
8 ~~community and technical colleges after January 1, 2007, shall include~~
9 ~~all policy changes and enhancements that will be requested by the~~
10 ~~institutions and the state board for community and technical colleges~~
11 ~~in their respective biennial budget requests. Operating budget~~
12 ~~outlines shall include a description of each policy enhancement, the~~
13 ~~dollar amount requested, and the fund source being requested.~~

14 ~~(b))~~ Capital budget outlines for the two-year institutions shall
15 be submitted to the office of financial management by August 15th of
16 each even-numbered year, and shall include the prioritized ranking of
17 the capital projects being requested, a description of each capital
18 project, and the amount and fund source being requested.

19 ~~((e))~~ (b) Capital budget outlines for the four-year institutions
20 must be submitted to the office of financial management by August 15th
21 of each even-numbered year, and must include: The institutions'
22 priority ranking of the project; the capital budget category within
23 which the project will be submitted to the office of financial
24 management in accordance with RCW 43.88D.010; a description of each
25 capital project; and the amount and fund source being requested.

26 ~~((d))~~ (c) The office of financial management shall reference
27 these reporting requirements in its budget instructions.

28 (3) The council shall submit recommendations on the operating
29 budget priorities to support the ten-year plan to the office of
30 financial management by October 1st each year, and to the legislature
31 by January 1st each year.

32 ~~((The board shall review and evaluate the operating and capital~~
33 ~~budget requests from four-year institutions and the community and~~
34 ~~technical college system based on how the requests align with the~~
35 ~~board's budget priorities, the missions of the institutions, and the~~
36 ~~statewide strategic master plan for higher education under RCW~~
37 ~~28B.76.200.~~

1 ~~(4) — The board shall submit recommendations on the proposed~~
2 ~~operating budget and priorities to the office of financial management~~
3 ~~by October 1st of each even numbered year, and to the legislature by~~
4 ~~January 1st of each odd numbered year.~~

5 ~~(5)(a) The board's capital budget recommendations for the community~~
6 ~~and technical college system and the four year institutions must be~~
7 ~~submitted to the office of financial management and to the legislature~~
8 ~~by November 15th of each even numbered year.~~

9 ~~(b))~~ (4)(a) The ~~((board))~~ office of financial management shall
10 develop one prioritized list of capital projects for the legislature to
11 consider that includes all of the projects requested by the four-year
12 institutions of higher education that were scored by the office of
13 financial management pursuant to chapter 43.88D RCW, including projects
14 that were previously scored but not funded. The prioritized list of
15 capital projects shall be based on the following priorities in the
16 following order:

17 (i) Office of financial management scores pursuant to chapter
18 43.88D RCW;

19 (ii) Preserving assets;

20 (iii) Degree production; and

21 (iv) Maximizing efficient use of instructional space.

22 ~~((c))~~ (b) The ~~((board))~~ office of financial management shall
23 include all of the capital projects requested by the four-year
24 institutions of higher education, except for the minor works projects,
25 in the prioritized list of capital projects provided to the
26 legislature.

27 ~~((d))~~ (c) The form of the prioritized list for capital projects
28 requested by the four-year institutions of higher education shall be
29 provided as one list, ranked in priority order with the highest
30 priority project ranked number "1" through the lowest priority project
31 numbered last. The ranking for the prioritized list of capital
32 projects may not:

33 (i) Include subpriorities;

34 (ii) Be organized by category;

35 (iii) Assume any state bond or building account biennial funding
36 level to prioritize the list; or

37 (iv) Assume any specific share of projects by institution in the
38 priority list.

1 ~~((6))~~ (5) Institutions and the state board for community and
2 technical colleges shall submit any supplemental capital budget
3 requests and revisions to ~~((the board at the same time they are~~
4 ~~submitted to the office of financial management. The board shall~~
5 ~~submit recommendations on the proposed supplemental budget requests~~
6 ~~to))~~ the office of financial management by November 1st and to the
7 legislature by January 1st.

8 **Sec. 111.** RCW 28B.76.230 and 2010 c 245 s 5 are each amended to
9 read as follows:

10 (1) The ~~((board))~~ council shall develop a comprehensive and ongoing
11 assessment process to analyze the need for additional degrees and
12 programs, additional off-campus centers and locations for degree
13 programs, and consolidation or elimination of programs by the four-year
14 institutions of higher education. ~~((Board))~~ Council recommendations
15 regarding proposed major expansion shall be limited to determinations
16 of whether the major expansion is within the scope indicated in the
17 most recent ~~((strategic master))~~ ten-year plan for higher education or
18 most recent system design plan. Recommendations regarding existing
19 capital prioritization processes are not within the scope of the
20 evaluation of major expansion. Major expansion and proposed mission
21 changes may be proposed by the ~~((board))~~ council, any public
22 institution of higher education, or by a state or local government.

23 (2) As part of the needs assessment process, the ~~((board))~~ council
24 shall examine:

25 (a) Projections of student, employer, and community demand for
26 education and degrees, including liberal arts degrees, on a regional
27 and statewide basis;

28 (b) Current and projected degree programs and enrollment at public
29 and private institutions of higher education, by location and mode of
30 service delivery;

31 (c) Data from the workforce training and education coordinating
32 board and the state board for community and technical colleges on the
33 supply and demand for workforce education and certificates and
34 associate degrees; and

35 (d) Recommendations from the technology transformation task force
36 created in chapter 407, Laws of 2009, and institutions of higher
37 education relative to the strategic and operational use of technology

1 in higher education. These and other reports, reviews, and audits
2 shall allow for: The development of enterprise-wide digital
3 information technology across educational sectors, systems, and
4 delivery methods; the integration and streamlining of administrative
5 tools including but not limited to student information management,
6 financial management, payroll, human resources, data collection,
7 reporting, and analysis; and a determination of the costs of multiple
8 technology platforms, systems, and models.

9 (3) Every two years the ((~~board~~)) council shall produce, jointly
10 with the state board for community and technical colleges and the
11 workforce training and education coordinating board, an assessment of
12 the number and type of higher education and training credentials
13 required to match employer demand for a skilled and educated workforce.
14 The assessment shall include the number of forecasted net job openings
15 at each level of higher education and training and the number of
16 credentials needed to match the forecast of net job openings.

17 (4) The ((~~board~~)) council shall determine whether certain major
18 lines of study or types of degrees, including applied degrees or
19 research-oriented degrees, shall be assigned uniquely to some
20 institutions or institutional sectors in order to create centers of
21 excellence that focus resources and expertise.

22 (5) The following activities are subject to approval by the
23 ((~~board~~)) council:

- 24 (a) ~~((New degree programs by a four-year institution;~~
25 ~~(b) Creation of any off-campus program by a four-year institution;~~
26 ~~(c) Purchase or lease of major off-campus facilities by a four-year~~
27 ~~institution or a community or technical college;~~
28 ~~(d)) Creation of higher education centers and consortia; and~~
29 ~~((e)) (b) New degree programs and creation of off-campus programs~~
30 ~~by an independent college or university in collaboration with a~~
31 ~~community or technical college((; and~~
32 ~~(f) Applied baccalaureate degree programs developed by colleges~~
33 ~~under RCW 28B.50.810)).~~

34 (6) Institutions seeking ((~~board~~)) council approval under this
35 section must demonstrate that the proposal is justified by the needs
36 assessment developed under this section. Institutions must also
37 demonstrate how the proposals align with or implement the ten-year

1 ((~~statewide strategic master~~)) plan for higher education ((~~under RCW~~
2 ~~28B.76.200~~)).

3 (7) The ((~~board~~)) council shall develop clear guidelines and
4 objective decision-making criteria regarding approval of proposals
5 under this section, which must include review and consultation with the
6 institution and other interested agencies and individuals.

7 (8) The ((~~board~~)) council shall periodically recommend
8 consolidation or elimination of programs at the four-year institutions
9 of higher education, based on the needs assessment analysis.

10 (9) In the case of a proposed major expansion or mission change,
11 the needs assessment process under subsection (2) of this section
12 constitutes a threshold inquiry. If the ((~~board~~)) council determines
13 that the need for the proposed major expansion or mission change has
14 not been justified, the inquiry is concluded. If the ((~~board~~)) council
15 determines that the need for the proposed major expansion or mission
16 change has been sufficiently established, the ((~~board~~)) council, in
17 consultation with any directly involved institutions and other
18 interested agencies and individuals, shall proceed to examine the
19 viability of the proposal using criteria including, but not limited to:

20 (a) The specific scope of the project including the capital
21 investment requirements, the number of full-time equivalent students
22 anticipated, and the number of academic programs planned;

23 (b) The existence of an efficient and sustainable financial plan;

24 (c) The extent to which existing resources can be leveraged;

25 (d) The current and five-year projected student population,
26 faculty, and staff to support the proposed programs, institution, or
27 innovation;

28 (e) The plans to accommodate expected growth over a twenty-year
29 time frame;

30 (f) The extent to which new or existing partnerships and
31 collaborations are a part of the proposal; and

32 (g) The feasibility of any proposed innovations to accelerate
33 degree production.

34 (10) After the ((~~board~~)) council completes its evaluation of the
35 proposed major expansion or mission change using the needs assessment
36 under subsection (2) of this section and viability determination under
37 subsection (9) of this section, the ((~~board~~)) council shall make a

1 recommendation to either proceed, modify, or not proceed with the
2 proposed major expansion or mission change. The ~~((board's))~~ council's
3 recommendation shall be presented to the governor and the legislature.

4 **Sec. 112.** RCW 28B.76.235 and 2011 c 77 s 4 are each amended to
5 read as follows:

6 The ~~((higher education coordinating board))~~ council shall annually
7 publish on its web site the agreed-upon list of high school courses
8 qualifying for postsecondary credit under RCW 28B.10.053 and qualifying
9 examination ~~((qualifying))~~ scores and demonstrated competencies meeting
10 the postsecondary requirements for a certificate or technical degree,
11 a two-year academic transfer degree, or the lower division requirements
12 for a baccalaureate degree.

13 **Sec. 113.** RCW 28B.76.240 and 2004 c 275 s 10 are each amended to
14 read as follows:

15 The ~~((board))~~ council shall adopt statewide transfer and
16 articulation policies that ensure efficient transfer of credits and
17 courses across public two and four-year institutions of higher
18 education. The intent of the policies is to create a statewide system
19 of articulation and alignment between two and four-year institutions of
20 higher education. Policies may address but are not limited to creation
21 of a statewide system of course equivalency, creation of transfer
22 associate degrees, statewide articulation agreements, applicability of
23 technical courses toward baccalaureate degrees, and other issues. The
24 institutions of higher education and the state board for community and
25 technical colleges shall cooperate with the ~~((board))~~ council in
26 developing the statewide policies and shall provide support and staff
27 resources as necessary to assist in maintaining the policies. ~~((The~~
28 ~~board shall submit a progress report to the higher education committees~~
29 ~~of the senate and house of representatives by December 1, 2006, by~~
30 ~~which time the legislature expects measurable improvement in alignment~~
31 ~~and transfer efficiency.))~~

32 **Sec. 114.** RCW 28B.76.2401 and 2004 c 55 s 5 are each reenacted and
33 amended to read as follows:

34 The statewide transfer of credit policy and agreement must be
35 designed to facilitate the transfer of students and the evaluation of

1 transcripts, to better serve persons seeking information about courses
2 and programs, to aid in academic planning, and to improve the review
3 and evaluation of academic programs in the state institutions of higher
4 education. The statewide transfer of credit policy and agreement must
5 not require or encourage the standardization of course content or
6 prescribe course content or the credit value assigned by any
7 institution to the course. Policies adopted by public four-year
8 institutions of higher education concerning the transfer of lower
9 division credit must treat students transferring from public community
10 colleges the same as students transferring from public four-year
11 institutions of higher education.

12 **Sec. 115.** RCW 28B.76.270 and 2011 1st sp.s. c 10 s 8 are each
13 amended to read as follows:

14 (1) (~~The board shall establish~~) An accountability monitoring and
15 reporting system is established as part of a continuing effort to make
16 meaningful and substantial progress towards the achievement of long-
17 term performance goals in higher education.

18 (2) To provide consistent, easily understood data among the public
19 four-year institutions of higher education within Washington and in
20 other states, the following data must be reported to the education data
21 center annually by December 1st, and at a minimum include data
22 recommended by a national organization representing state chief
23 executives. The (~~board~~) education data center in consultation with
24 the council may change the data requirements to be consistent with best
25 practices across the country. This data must, to the maximum extent
26 possible, be disaggregated by race and ethnicity, gender, state and
27 county of origin, age, and socioeconomic status, and include the
28 following for the four-year institutions of higher education:

29 (a) Bachelor's degrees awarded;

30 (b) Graduate and professional degrees awarded;

31 (c) Graduation rates: The number and percentage of students who
32 graduate within four years for bachelor's degrees and within the
33 extended time, which is six years for bachelor's degrees;

34 (d) Transfer rates: The annual number and percentage of students
35 who transfer from a two-year to a four-year institution of higher
36 education;

- 1 (e) Time and credits to degree: The average length of time in
2 years and average number of credits that graduating students took to
3 earn a bachelor's degree;
- 4 (f) Enrollment in remedial education: The number and percentage of
5 entering first-time undergraduate students who place into and enroll in
6 remedial mathematics, English, or both;
- 7 (g) Success beyond remedial education: The number and percentage
8 of entering first-time undergraduate students who complete entry
9 college-level math and English courses within the first two consecutive
10 academic years;
- 11 (h) Credit accumulation: The number and percentage of first-time
12 undergraduate students completing two quarters or one semester worth of
13 credit during their first academic year;
- 14 (i) Retention rates: The number and percentage of entering
15 undergraduate students who enroll consecutively from fall-to-spring and
16 fall-to-fall at an institution of higher education;
- 17 (j) Course completion: The percentage of credit hours completed
18 out of those attempted during an academic year;
- 19 (k) Program participation and degree completion rates in bachelor
20 and advanced degree programs in the sciences, which includes
21 agriculture and natural resources, biology and biomedical sciences,
22 computer and information sciences, engineering and engineering
23 technologies, health professions and clinical sciences, mathematics and
24 statistics, and physical sciences and science technologies, including
25 participation and degree completion rates for students from
26 traditionally underrepresented populations;
- 27 (l) Annual enrollment: Annual unduplicated number of students
28 enrolled over a twelve-month period at institutions of higher education
29 including by student level;
- 30 (m) Annual first-time enrollment: Total first-time students
31 enrolled in a four-year institution of higher education;
- 32 (n) Completion ratio: Annual ratio of undergraduate and graduate
33 degrees and certificates, of at least one year in expected length,
34 awarded per one hundred full-time equivalent undergraduate students at
35 the state level;
- 36 (o) Market penetration: Annual ratio of undergraduate and graduate
37 degrees and certificates, of at least one year in program length,

1 awarded relative to the state's population age eighteen to twenty-four
2 years old with a high school diploma;

3 (p) Student debt load: Median three-year distribution of debt
4 load, excluding private loans or debts incurred before coming to the
5 institution;

6 (q) Data related to enrollment, completion rates, participation
7 rates, and debt load shall be disaggregated for students in the
8 following income brackets to the maximum extent possible:

9 (i) Up to seventy percent of the median family income;

10 (ii) Between seventy-one percent and one hundred twenty-five
11 percent of the median family income; and

12 (iii) Above one hundred twenty-five percent of the median family
13 income; and

14 (r) Yearly percentage increases in the average cost of
15 undergraduate instruction.

16 (3) Four-year institutions of higher education must count all
17 students when collecting data, not only first-time, full-time freshmen.

18 ~~(4) ((Based on guidelines prepared by the board, each four-year
19 institution and the state board for community and technical colleges
20 shall submit a biennial plan to achieve measurable and specific
21 improvements each academic year on statewide and institution specific
22 performance measures. Plans shall be submitted to the board along with
23 the biennial budget requests from the institutions and the state board
24 for community and technical colleges. Performance measures established
25 for the community and technical colleges shall reflect the role and
26 mission of the colleges.~~

27 ~~(5) The board shall approve biennial performance targets for each
28 four-year institution and for the community and technical college
29 system and shall review actual achievements annually. The state board
30 for community and technical colleges shall set biennial performance
31 targets for each college or district, where appropriate.~~

32 ~~(6) The board shall submit a report on progress towards the
33 statewide goals, with recommendations for the ensuing biennium, to the
34 fiscal and higher education committees of the legislature along with
35 the board's biennial budget recommendations.~~

36 ~~(7) The board, in collaboration with the four-year institutions and
37 the state board for community and technical colleges, shall~~

1 periodically review and update the accountability monitoring and
2 reporting system.

3 ~~(8) The board shall develop measurable indicators and benchmarks~~
4 ~~for its own performance regarding cost, quantity, quality, and~~
5 ~~timeliness and including the performance of committees and advisory~~
6 ~~groups convened under this chapter to accomplish such tasks as~~
7 ~~improving transfer and articulation, improving articulation with the K-~~
8 ~~12 education system, measuring educational costs, or developing data~~
9 ~~protocols. The board shall submit its accountability plan to the~~
10 ~~legislature concurrently with the biennial report on institution~~
11 ~~progress.~~

12 (9)) In conjunction with the office of financial management, all
13 four-year institutions of higher education must display the data
14 described in subsection (2) of this section in a uniform dashboard
15 format on the office of financial management's web site no later than
16 December 1, 2011, and updated thereafter annually by December 1st. To
17 the maximum extent possible, the information must be viewable by race
18 and ethnicity, gender, state and county of origin, age, and
19 socioeconomic status. The information may be tailored to meet the
20 needs of various target audiences such as students, researchers, and
21 the general public.

22 (5) The council shall use performance data from the education data
23 center for the purposes of strategic planning, to report on progress
24 toward achieving statewide goals, and to develop priorities proposed in
25 the ten-year plan for higher education.

26 **Sec. 116.** RCW 28B.76.325 and 2011 1st sp.s. c 10 s 28 are each
27 amended to read as follows:

28 (1) The ((board)) council, the state board for community and
29 technical colleges, the council of presidents, the four-year
30 institutions of higher education, the private independent higher
31 education institutions, and the private career schools shall
32 collaborate to carry out the following goals:

33 (a) Increase the number of students who receive academic credit for
34 prior learning and the number of students who receive credit for prior
35 learning that counts towards their major or towards earning their
36 degree, certificate, or credential, while ensuring that credit is
37 awarded only for high quality, course-level competencies;

1 (b) Increase the number and type of academic credits accepted for
2 prior learning in institutions of higher education, while ensuring that
3 credit is awarded only for high quality, course-level competencies;

4 (c) Develop transparent policies and practices in awarding academic
5 credit for prior learning;

6 (d) Improve prior learning assessment practices across the
7 institutions of higher education;

8 (e) Create tools to develop faculty and staff knowledge and
9 expertise in awarding credit for prior learning and to share exemplary
10 policies and practices among institutions of higher education;

11 (f) Develop articulation agreements when patterns of credit for
12 prior learning are identified for particular programs and pathways; and

13 (g) Develop outcome measures to track progress on the goals
14 outlined in this section.

15 (2) The (~~board~~) council shall convene the academic credit for
16 prior learning work group.

17 (a) The work group must include the following members:

18 (i) One representative from the (~~higher-education-coordinating~~
19 ~~board~~) council;

20 (ii) One representative from the state board for community and
21 technical colleges;

22 (iii) One representative from the council of presidents;

23 (iv) Two representatives each from faculty from two and four-year
24 institutions of higher education;

25 (v) Two representatives from private career schools;

26 (vi) Two representatives from business; and

27 (vii) Two representatives from labor.

28 (b) The purpose of the work group is to coordinate and implement
29 the goals in subsection (1) of this section.

30 (3) The (~~board~~) council shall report progress on the goals and
31 outcome measures annually by December 31st.

32 (4) For the purposes of this section, "prior learning" means the
33 knowledge and skills gained through work and life experience; through
34 military training and experience; and through formal and informal
35 education and training from in-state and out-of-state institutions
36 including foreign institutions.

1 **Sec. 117.** RCW 28B.76.510 and 2011 1st sp.s. c 11 s 108 are each
2 amended to read as follows:

3 The (~~office—shall~~) council may administer any federal act
4 pertaining to higher education which is not administered by another
5 state agency.

6 **Sec. 118.** RCW 28B.76.695 and 2011 c 146 s 2 are each amended to
7 read as follows:

8 (1) The (~~board~~) council may:

9 (a) Recognize and endorse online, competency-based education as an
10 important component of Washington's higher education system;

11 (b) Work to eliminate unnecessary barriers to the delivery of
12 online competency-based education by Western Governors University -
13 Washington; and

14 (c) Work with Western Governors University - Washington, as
15 appropriate, to integrate its academic programs and services into
16 Washington higher education policy and strategy.

17 (2) The (~~board~~) council shall work with Western Governors
18 University - Washington to create data-sharing processes to assess the
19 institution's performance and determine the extent to which it helps
20 the state achieve the goals of the current (~~statewide—strategie~~
21 ~~master~~) ten-year plan for higher education.

22 (3) The (~~board~~) council shall adopt rules and policies to
23 implement this section and that require (~~board~~) council consultation
24 and approval before:

25 (a) Modifications of contractual terms or relationships between the
26 state and the institution of higher education; or

27 (b) Changes or modifications in the nonprofit status of the
28 institution of higher education.

29 NEW SECTION. **Sec. 119.** (1) The state board for community and
30 technical colleges, in consultation with the student achievement
31 council, shall regularly review higher education accountability
32 measures, assess whether any of the measures for four-year institutions
33 of higher education in RCW 28B.76.270(2) (as recodified by this act)
34 should be applied as performance measures for community and technical
35 colleges, and whether performance indicators for the community and
36 technical colleges should be added to the data dashboard in RCW

1 28B.76.270(4) (as recodified by this act). The board shall report
2 recommendations regarding appropriate changes to required community and
3 technical college accountability measures to the governor and the
4 legislature by December 1, 2012.

5 (2) This section expires August 1, 2013.

6 NEW SECTION. **Sec. 120.** RCW 28B.76.290 (Coordination of activities
7 with segments of higher education) and 1993 c 77 s 2, 1992 c 60 s 3,
8 1988 c 172 s 4, & 1985 c 370 s 6 are each repealed.

9 NEW SECTION. **Sec. 121.** A new section is added to chapter 28B.77
10 RCW to read as follows:

11 (1) All powers, duties, and functions of the higher education
12 coordinating board are transferred to the student achievement council.
13 All references to the executive director or the higher education
14 coordinating board in the Revised Code of Washington shall be construed
15 to mean the executive director or the student achievement council when
16 referring to the functions transferred in this section.

17 (2)(a) All reports, documents, surveys, books, records, files,
18 papers, or written material in the possession of the higher education
19 coordinating board pertaining to the powers, functions, and duties
20 transferred shall be delivered to the custody of the student
21 achievement council. All cabinets, furniture, office equipment, motor
22 vehicles, and other tangible property employed by the higher education
23 coordinating board in carrying out the powers, functions, and duties
24 transferred shall be made available to the student achievement council.
25 All funds, credits, or other assets held in connection with the powers,
26 functions, and duties transferred shall be assigned to the student
27 achievement council.

28 (b) Any appropriations made to the higher education coordinating
29 board for carrying out the powers, functions, and duties transferred
30 shall, on the effective date of this section, be transferred and
31 credited to the student achievement council.

32 (c) Whenever any question arises as to the transfer of any
33 personnel, funds, books, documents, records, papers, files, equipment,
34 or other tangible property used or held in the exercise of the powers
35 and the performance of the duties and functions transferred, the

1 director of financial management shall make a determination as to the
2 proper allocation and certify the same to the state agencies concerned.

3 (3) All employees of the higher education coordinating board
4 necessary to the assigned functions of the student achievement council
5 are transferred to the jurisdiction of the student achievement council
6 subject to review by the executive director of the student achievement
7 council. All employees classified under chapter 41.06 RCW, the state
8 civil service law, are assigned to the student achievement council to
9 perform their usual duties upon the same terms as formerly, without any
10 loss of rights, subject to any action that may be appropriate
11 thereafter in accordance with the laws and rules governing state civil
12 service.

13 (4) All rules and all pending business before the higher education
14 coordinating board pertaining to the powers, functions, and duties
15 transferred shall be continued and acted upon by the student
16 achievement council. All existing contracts and obligations shall
17 remain in full force and shall be performed by the student achievement
18 council.

19 (5) The transfer of the powers, duties, and functions of the higher
20 education coordinating board shall not affect the validity of any act
21 performed before the effective date of this section.

22 (6) If apportionments of budgeted funds are required because of the
23 transfers directed by this section, the director of financial
24 management shall certify the apportionments to the agencies affected,
25 the state auditor, and the state treasurer. Each of these shall make
26 the appropriate transfer and adjustments in funds and appropriation
27 accounts and equipment records in accordance with the certification.

28 (7) All classified employees of the higher education coordinating
29 board assigned to the student achievement council under this section
30 whose positions are within an existing bargaining unit description at
31 the student achievement council shall become a part of the existing
32 bargaining unit at the student achievement council and shall be
33 considered an appropriate inclusion or modification of the existing
34 bargaining unit under the provisions of chapter 41.80 RCW.

35 **PART II**

36 **JOINT HIGHER EDUCATION COMMITTEE**

1 NEW SECTION. **Sec. 201.** A new section is added to chapter 44.04
2 RCW to read as follows:

3 (1) A joint higher education committee is created.

4 (2) The purpose of the joint higher education committee is to:

5 (a) By December 1, 2012, and annually thereafter, review the work
6 of the student achievement council and provide legislative feedback;

7 (b) Engage with the student achievement council and the higher
8 education community to create greater communication, coordination, and
9 alignment between the higher education system and the expectations of
10 the legislature; and

11 (c) Provide recommendations for higher education policy, including
12 proposed legislation, to the higher education and fiscal committees of
13 the legislature.

14 NEW SECTION. **Sec. 202.** A new section is added to chapter 44.04
15 RCW to read as follows:

16 (1) The joint higher education committee shall consist of the
17 following members:

18 (a) Four members of the house of representatives, two each
19 appointed by the leadership of the two largest caucuses, with at least
20 one member from each caucus who is a member of the house of
21 representatives ways and means committee and at least one member from
22 each caucus who is a member of the house of representatives higher
23 education committee; and

24 (b) Four members of the senate, two each appointed by the
25 leadership of the two largest caucuses, with at least one member from
26 each caucus who is a member of the senate ways and means committee and
27 at least one member from each caucus who is a member of the senate
28 higher education and workforce development committee.

29 (2) All members must be appointed by July 1, 2012, and must serve
30 a term of no less than two years.

31 (3) Vacancies on the joint higher education committee shall be
32 filled by appointment by either the president of the senate or the
33 speaker of the house of representatives. All such vacancies shall be
34 filled from the same political party and from the same house as the
35 member whose seat was vacated.

36 (4) The joint higher education committee shall appoint its own

1 cochairs, representing two different parties and the two chambers of
2 the legislature.

3 NEW SECTION. **Sec. 203.** A new section is added to chapter 44.04
4 RCW to read as follows:

5 (1) The joint higher education committee shall meet at least twice
6 annually after the conclusion of the legislative session.

7 (2) The members of the joint higher education committee shall serve
8 without additional compensation, but shall be reimbursed in accordance
9 with RCW 44.04.120 while attending meetings of the joint higher
10 education committee.

11 (3) The joint higher education committee shall adopt rules and
12 procedures for its operations.

13 (4) Staff support for the joint higher education committee must be
14 provided by the senate committee services and the house of
15 representatives office of program research.

16 **Sec. 204.** RCW 44.04.260 and 2005 c 319 s 112 are each amended to
17 read as follows:

18 The joint legislative audit and review committee, the joint
19 transportation committee, the select committee on pension policy, the
20 legislative evaluation and accountability program committee, the joint
21 higher education committee, and the joint legislative systems committee
22 are subject to such operational policies, procedures, and oversight as
23 are deemed necessary by the facilities and operations committee of the
24 senate and the executive rules committee of the house of
25 representatives to ensure operational adequacy of the agencies of the
26 legislative branch. As used in this section, "operational policies,
27 procedures, and oversight" includes the development process of biennial
28 budgets, contracting procedures, personnel policies, and compensation
29 plans, selection of a chief administrator, facilities, and
30 expenditures. This section does not grant oversight authority to the
31 facilities and operations committee of the senate over any standing
32 committee of the house of representatives or oversight authority to the
33 executive rules committee of the house of representatives over any
34 standing committee of the senate.

1 ~~((board's))~~ council's data collection and research are to describe how
2 students and other beneficiaries of higher education are being served;
3 ~~((to support higher education accountability))~~ to compare and contrast
4 the state of Washington's higher education system with the rest of the
5 nation; and to assist state policymakers and institutions in making
6 policy decisions.

7 (b) For the council, assistance to state policymakers and
8 institutions of higher education in making policy decisions includes
9 but is not limited to annual reporting of a national comparison of
10 tuition and fees.

11 ~~(2) ((The board shall identify the most cost effective manner for~~
12 ~~the board to collect data or access existing data. The board shall~~
13 ~~develop research priorities, policies, and common definitions to~~
14 ~~maximize the reliability and consistency of data across institutions.~~

15 ~~(3) Specific protocols shall be developed by the board to protect~~
16 ~~the privacy of individual student records while ensuring the~~
17 ~~availability of student data for legitimate research purposes.))~~ One of
18 the goals of the education data center's data collection and research
19 for higher education is to support higher education accountability.
20 For the education data center, assistance to state policymakers and
21 institutions of higher education in making policy decisions includes
22 but is not limited to regular completion of:

23 (a) Educational cost study reports as provided in RCW 28B.76.310
24 (as recodified by this act) and information on state support received
25 by students as provided in section 301 of this act; and

26 (b) Per-student funding at similar public institutions of higher
27 education in the global challenge states.

28 **Sec. 303.** RCW 28B.76.310 and 2011 1st sp.s. c 11 s 105 are each
29 amended to read as follows:

30 (1) The ~~((board))~~ education data center, in consultation with the
31 house of representatives and senate committees responsible for higher
32 education, the respective fiscal committees of the house of
33 representatives and senate, the office of financial management, the
34 state board for community and technical colleges, and the state
35 institutions of higher education, shall develop standardized methods
36 and protocols for measuring the undergraduate and graduate educational
37 costs for the state universities, regional universities, and community

1 colleges, including but not limited to the costs of instruction, costs
2 to provide degrees in specific fields, and costs for precollege
3 remediation.

4 (2) The institutions of higher education shall participate in the
5 development of cost study methods and shall provide all necessary data
6 in a timely fashion consistent with the protocols developed.

7 (3) Beginning December 1, 2012, and each December 1st thereafter,
8 the center must provide cost study reports intended to meet the
9 information needs of the governor's office and the legislature and the
10 requirements of section 301 of this act.

11 NEW SECTION. Sec. 304. A new section is added to chapter 43.41
12 RCW to read as follows:

13 The education data center must determine and report on amounts
14 constituting undergraduate and graduate educational costs to the
15 several boards of regents and trustees for the state institutions of
16 higher education by November 10th of each even-numbered year.

17 **PART IV**

18 **OFFICE OF STUDENT FINANCIAL ASSISTANCE**

19 **Sec. 401.** RCW 28B.76.090 and 2011 1st sp.s. c 11 s 102 are each
20 amended to read as follows:

21 (1) The office of student financial assistance is created within
22 and under the direction of the student achievement council.

23 (2) The purpose of the office is to administer state and federal
24 financial aid and other education services programs, including the
25 advanced college tuition payment program in chapter 28B.95 RCW, in a
26 cost-effective manner.

27 ~~((3) The office shall employ a director who shall serve at the~~
28 ~~pleasure of the governor and shall administer the provisions of this~~
29 ~~chapter. The director shall: (a) Employ necessary deputy and~~
30 ~~assistant directors and other exempt staff under chapter 41.06 RCW who~~
31 ~~shall serve at his or her pleasure on such terms and conditions as he~~
32 ~~or she determines and (b) subject to the provisions of chapter 41.06~~
33 ~~RCW, appoint and employ such other employees as may be required for the~~
34 ~~proper discharge of the functions of the office.))~~

1 **Sec. 402.** RCW 28B.118.010 and 2011 1st sp.s. c 11 s 226 are each
2 amended to read as follows:

3 The office of student financial assistance shall design the
4 Washington college bound scholarship program in accordance with this
5 section and in alignment with the state need grant program in chapter
6 28B.92 RCW unless otherwise provided in this section.

7 (1) "Eligible students" are those students who qualify for free or
8 reduced-price lunches. If a student qualifies in the seventh grade,
9 the student remains eligible even if the student does not receive free
10 or reduced-price lunches thereafter.

11 (2) Eligible students shall be notified of their eligibility for
12 the Washington college bound scholarship program beginning in their
13 seventh grade year. Students shall also be notified of the
14 requirements for award of the scholarship.

15 (3) To be eligible for a Washington college bound scholarship, a
16 student must sign a pledge during seventh or eighth grade that includes
17 a commitment to graduate from high school with at least a C average and
18 with no felony convictions. Students who were in the eighth grade
19 during the 2007-08 school year may sign the pledge during the 2008-09
20 school year. The pledge must be witnessed by a parent or guardian and
21 forwarded to the office of student financial assistance by mail or
22 electronically, as indicated on the pledge form.

23 (4)(a) Scholarships shall be awarded to eligible students
24 graduating from public high schools, approved private high schools
25 under chapter 28A.195 RCW, or who received home-based instruction under
26 chapter 28A.200 RCW.

27 (b) To receive the Washington college bound scholarship, a student
28 must graduate with at least a "C" average from a public high school or
29 an approved private high school under chapter 28A.195 RCW in Washington
30 or have received home-based instruction under chapter 28A.200 RCW, must
31 have no felony convictions, and must be a resident student as defined
32 in RCW 28B.15.012(2) (a) through (d).

33 (5) A student's family income will be assessed upon graduation
34 before awarding the scholarship.

35 (6) If at graduation from high school the student's family income
36 does not exceed sixty-five percent of the state median family income,
37 scholarship award amounts shall be as provided in this section.

1 (a) For students attending two or four-year institutions of higher
2 education as defined in RCW 28B.10.016, the value of the award shall be
3 (i) the difference between the student's tuition and required fees,
4 less the value of any state-funded grant, scholarship, or waiver
5 assistance the student receives; (ii) plus five hundred dollars for
6 books and materials.

7 (b) For students attending private four-year institutions of higher
8 education in Washington, the award amount shall be the representative
9 average of awards granted to students in public research universities
10 in Washington.

11 (c) For students attending private vocational schools in
12 Washington, the award amount shall be the representative average of
13 awards granted to students in public community and technical colleges
14 in Washington.

15 (7) Recipients may receive no more than four full-time years' worth
16 of scholarship awards.

17 (8) Institutions of higher education shall award the student all
18 need-based and merit-based financial aid for which the student would
19 otherwise qualify. The Washington college bound scholarship is
20 intended to replace unmet need, loans, and, at the student's option,
21 work-study award before any other grants or scholarships are reduced.

22 (9) The first scholarships shall be awarded to students graduating
23 in 2012.

24 (10) The state of Washington retains legal ownership of tuition
25 units awarded as scholarships under this chapter until the tuition
26 units are redeemed. These tuition units shall remain separately held
27 from any tuition units owned under chapter 28B.95 RCW by a Washington
28 college bound scholarship recipient.

29 (11) The scholarship award must be used within five years of
30 receipt. Any unused scholarship tuition units revert to the Washington
31 college bound scholarship account.

32 (12) Should the recipient terminate his or her enrollment for any
33 reason during the academic year, the unused portion of the scholarship
34 tuition units shall revert to the Washington college bound scholarship
35 account.

36 **PART V**

1 attainment of an academic certificate, degree, or rank, and that is not
2 issued by a person or entity that: (i) Is an entity accredited by an
3 agency recognized as such by rule of the (~~higher—education~~
4 ~~coordinating—board~~) student achievement council or has the
5 international equivalents of such accreditation; or (ii) is an entity
6 authorized as a degree-granting institution by the (~~higher—education~~
7 ~~coordinating—board~~) student achievement council; or (iii) is an entity
8 exempt from the requirements of authorization as a degree-granting
9 institution by the (~~higher—education—coordinating—board~~) student
10 achievement council; or (iv) is an entity that has been granted a
11 waiver by the (~~higher—education—coordinating—board~~) student
12 achievement council from the requirements of authorization by the
13 (~~board~~) council. Such documents include, but are not limited to,
14 academic certificates, degrees, coursework, degree credits,
15 transcripts, or certification of completion of a degree.

16 (b) "Grant" means award, bestow, confer, convey, sell, or give.

17 (c) "Offer," in addition to its usual meanings, means advertise,
18 publicize, or solicit.

19 (d) "Operate" includes but is not limited to the following:

20 (i) Offering courses in person, by correspondence, or by electronic
21 media at or to any Washington location for degree credit;

22 (ii) Granting or offering to grant degrees in Washington;

23 (iii) Maintaining or advertising a Washington location, mailing
24 address, computer server, or telephone number, for any purpose, other
25 than for contact with the institution's former students for any
26 legitimate purpose related to the students having attended the
27 institution.

28 (4) Issuing a false academic credential is a class C felony.

29 (5) Knowingly using a false academic credential is a gross
30 misdemeanor.

31 **Sec. 502.** RCW 18.260.110 and 2008 c 150 s 1 are each amended to
32 read as follows:

33 Nothing in this chapter may be construed to prohibit or restrict:

34 (1) The practice of a dental assistant in the discharge of official
35 duties by dental assistants in the United States federal services on
36 federal reservations, including but not limited to the armed services,

1 coast guard, public health service, veterans' bureau, or bureau of
2 Indian affairs;

3 (2) Expanded function dental auxiliary education and training
4 programs approved by the commission and the practice as an expanded
5 function dental auxiliary by students in expanded function dental
6 auxiliary education and training programs approved by the commission,
7 when acting under the direction and supervision of persons licensed
8 under chapter 18.29 or 18.32 RCW;

9 (3) Dental assistant education and training programs, and the
10 practice of dental assisting by students in dental assistant education
11 and training programs approved by the commission or offered at a school
12 approved or licensed by the workforce training and education
13 coordinating board, (~~higher-education-coordinating-board~~) student
14 achievement council, state board for community and technical colleges,
15 or Washington state skill centers certified by the office of the
16 superintendent of public instruction, when acting under the direction
17 and supervision of persons registered or licensed under this chapter or
18 chapter 18.29 or 18.32 RCW; or

19 (4) The practice of a volunteer dental assistant providing services
20 under the supervision of a licensed dentist in a charitable dental
21 clinic, as approved by the commission in rule.

22 **Sec. 503.** RCW 28A.175.130 and 2011 c 288 s 2 are each amended to
23 read as follows:

24 (1) The pay for actual student success (PASS) program is created
25 under this section and RCW 28A.175.135 through 28A.175.160 to invest in
26 proven dropout prevention and intervention programs as provided in RCW
27 28A.175.135 and provide a financial award for high schools that
28 demonstrate improvement in the dropout prevention indicators
29 established under RCW 28A.175.140. The legislature finds that
30 increased accumulation of credits and reductions in incidents of
31 student discipline lead to improved graduation rates.

32 (2) The office of the superintendent of public instruction, the
33 workforce training and education coordinating board, the building
34 bridges working group, the (~~higher-education-coordinating-board~~)
35 student achievement council, and the college scholarship organization
36 under RCW 28A.175.135(4) shall collaborate to assure that the programs

1 under RCW 28A.175.135 operate systematically and are expanded to
2 include as many additional students and schools as possible.

3 **Sec. 504.** RCW 28A.230.100 and 2006 c 263 s 402 and 2006 c 114 s 4
4 are each reenacted and amended to read as follows:

5 The superintendent of public instruction, in consultation with the
6 (~~higher education coordinating board~~) student achievement council,
7 the state board for community and technical colleges, and the workforce
8 training and education coordinating board, shall adopt rules pursuant
9 to chapter 34.05 RCW, to implement the course requirements set forth in
10 RCW 28A.230.090. The rules shall include, as the superintendent deems
11 necessary, granting equivalencies for and temporary exemptions from the
12 course requirements in RCW 28A.230.090 and special alterations of the
13 course requirements in RCW 28A.230.090. In developing such rules the
14 superintendent shall recognize the relevance of vocational and applied
15 courses and allow such courses to fulfill in whole or in part the
16 courses required for graduation in RCW 28A.230.090, as determined by
17 the high school or school district in accordance with RCW 28A.230.097.
18 The rules may include provisions for competency testing in lieu of such
19 courses required for graduation in RCW 28A.230.090 or demonstration of
20 specific skill proficiency or understanding of concepts through work or
21 experience.

22 **Sec. 505.** RCW 28A.600.280 and 2009 c 450 s 2 are each amended to
23 read as follows:

24 (1) The office of the superintendent of public instruction, in
25 collaboration with the state board for community and technical
26 colleges, the Washington state apprenticeship and training council, the
27 workforce training and education coordinating board, the (~~higher
28 education coordinating board~~) student achievement council, (~~and~~) the
29 public baccalaureate institutions, and the education data center, shall
30 report by September 1, 2010, and annually thereafter to the education
31 and higher education committees of the legislature regarding
32 participation in dual credit programs. The report shall include:

33 (a) Data about student participation rates and academic performance
34 including but not limited to running start, college in the high school,
35 tech prep, international baccalaureate, advanced placement, and running
36 start for the trades;

1 (b) Data on the total unduplicated head count of students enrolled
2 in at least one dual credit program course; and

3 (c) The percentage of students who enrolled in at least one dual
4 credit program as percent of all students enrolled in grades nine
5 through twelve.

6 (2) Data on student participation shall be disaggregated by race,
7 ethnicity, gender, and receipt of free or reduced-price lunch.

8 **Sec. 506.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to
9 read as follows:

10 The superintendent of public instruction, the state board for
11 community and technical colleges, and the (~~higher — education~~
12 ~~coordinating board~~) student achievement council shall jointly develop
13 and adopt rules governing RCW 28A.600.300 through 28A.600.380, if rules
14 are necessary. The rules shall be written to encourage the maximum use
15 of the program and shall not narrow or limit the enrollment options
16 under RCW 28A.600.300 through 28A.600.380.

17 **Sec. 507.** RCW 28A.660.050 and 2011 1st sp.s. c 11 s 134 are each
18 amended to read as follows:

19 Subject to the availability of amounts appropriated for these
20 purposes, the conditional scholarship programs in this chapter are
21 created under the following guidelines:

22 (1) The programs shall be administered by the (~~office of student~~
23 ~~financial assistance~~) student achievement council. In administering
24 the programs, the (~~office~~) council has the following powers and
25 duties:

26 (a) To adopt necessary rules and develop guidelines to administer
27 the programs;

28 (b) To collect and manage repayments from participants who do not
29 meet their service obligations; and

30 (c) To accept grants and donations from public and private sources
31 for the programs.

32 (2) Requirements for participation in the conditional scholarship
33 programs are as provided in this subsection (2).

34 (a) The alternative route conditional scholarship program is
35 limited to interns of professional educator standards board-approved
36 alternative routes to teaching programs under RCW 28A.660.040. For

1 fiscal year 2011, priority must be given to fiscal year 2010
2 participants in the alternative route partnership program. In order to
3 receive conditional scholarship awards, recipients shall:

4 (i) Be accepted and maintain enrollment in alternative
5 certification routes through a professional educator standards board-
6 approved program;

7 (ii) Continue to make satisfactory progress toward completion of
8 the alternative route certification program and receipt of a residency
9 teaching certificate; and

10 (iii) Receive no more than the annual amount of the scholarship,
11 not to exceed eight thousand dollars, for the cost of tuition, fees,
12 and educational expenses, including books, supplies, and transportation
13 for the alternative route certification program in which the recipient
14 is enrolled. The (~~board~~) council may adjust the annual award by the
15 average rate of resident undergraduate tuition and fee increases at the
16 state universities as defined in RCW 28B.10.016.

17 (b) The pipeline for paraeducators conditional scholarship program
18 is limited to qualified paraeducators as provided by RCW 28A.660.042.
19 In order to receive conditional scholarship awards, recipients shall:

20 (i) Be accepted and maintain enrollment at a community and
21 technical college for no more than two years and attain an associate of
22 arts degree;

23 (ii) Continue to make satisfactory progress toward completion of an
24 associate of arts degree. This progress requirement is a condition for
25 eligibility into a route one program of the alternative routes to
26 teacher certification program for a mathematics, special education, or
27 English as a second language endorsement; and

28 (iii) Receive no more than the annual amount of the scholarship,
29 not to exceed four thousand dollars, for the cost of tuition, fees, and
30 educational expenses, including books, supplies, and transportation for
31 the alternative route certification program in which the recipient is
32 enrolled. The (~~board~~) student achievement council may adjust the
33 annual award by the average rate of tuition and fee increases at the
34 state community and technical colleges.

35 (c) The retooling to teach mathematics and science conditional
36 scholarship program is limited to current K-12 teachers. In order to
37 receive conditional scholarship awards:

1 (i) Individuals currently employed as teachers shall pursue a
2 middle level mathematics or science, or secondary mathematics or
3 science endorsement; or

4 (ii) Individuals who are certificated with an elementary education
5 endorsement shall pursue an endorsement in middle level mathematics or
6 science, or both; and

7 (iii) Individuals shall use one of the pathways to endorsement
8 processes to receive a mathematics or science endorsement, or both,
9 which shall include passing a mathematics or science endorsement test,
10 or both tests, plus observation and completing applicable coursework to
11 attain the proper endorsement; and

12 (iv) Individuals shall receive no more than the annual amount of
13 the scholarship, not to exceed three thousand dollars, for the cost of
14 tuition, test fees, and educational expenses, including books,
15 supplies, and transportation for the endorsement pathway being pursued.

16 (3) The Washington professional educator standards board shall
17 select individuals to receive conditional scholarships. In selecting
18 recipients, preference shall be given to eligible veterans or national
19 guard members.

20 (4) For the purpose of this chapter, a conditional scholarship is
21 a loan that is forgiven in whole or in part in exchange for service as
22 a certificated teacher employed in a Washington state K-12 public
23 school. The state shall forgive one year of loan obligation for every
24 two years a recipient teaches in a public school. Recipients who fail
25 to continue a course of study leading to residency teacher
26 certification or cease to teach in a public school in the state of
27 Washington in their endorsement area are required to repay the
28 remaining loan principal with interest.

29 (5) Recipients who fail to fulfill the required teaching obligation
30 are required to repay the remaining loan principal with interest and
31 any other applicable fees. The (~~office of student financial~~
32 ~~assistance~~) student achievement council shall adopt rules to define
33 the terms for repayment, including applicable interest rates, fees, and
34 deferments.

35 (6) The (~~office of student financial assistance~~) student
36 achievement council may deposit all appropriations, collections, and
37 any other funds received for the program in this chapter in the future
38 teachers conditional scholarship account authorized in RCW 28B.102.080.

1 **Sec. 508.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to
2 read as follows:

3 The authority is authorized and empowered to do the following, on
4 such terms, with such security and undertakings, subject to such
5 conditions, and in return for such consideration, as the authority
6 shall determine in its discretion to be necessary, useful, or
7 convenient in accomplishing the purposes of this chapter:

8 (1) To promulgate rules in accordance with chapter 34.05 RCW;

9 (2) To adopt an official seal and to alter the same at pleasure;

10 (3) To maintain an office at any place or places as the authority
11 may designate;

12 (4) To sue and be sued in its own name, and to plead and be
13 impleaded;

14 (5) To make and execute agreements with participants and others and
15 all other instruments necessary, useful, or convenient for the
16 accomplishment of the purposes of this chapter;

17 (6) To provide long-term or short-term financing or refinancing to
18 participants for project costs, by way of loan, lease, conditional
19 sales contract, mortgage, option to purchase, or other financing or
20 security device or any such combination;

21 (7) If, in order to provide to participants the financing or
22 refinancing of project costs described in subsection (6) of this
23 section, the authority deems it necessary or convenient for it to own
24 a project or projects or any part of a project or projects, for any
25 period of time, it may acquire, contract, improve, alter, rehabilitate,
26 repair, manage, operate, mortgage, subject to a security interest,
27 lease, sell, or convey the project;

28 (8) To fix, revise from time to time, and charge and collect from
29 participants and others rates, rents, fees, charges, and repayments as
30 necessary to fully and timely reimburse the authority for all expenses
31 incurred by it in providing the financing and refinancing and other
32 services under this section and for the repayment, when due, of all the
33 principal of, redemption premium, if any, and interest on all bonds
34 issued under this chapter to provide the financing, refinancing, and
35 services;

36 (9) To accept and receive funds, grants, gifts, pledges,
37 guarantees, mortgages, trust deeds, and other security instruments, and
38 property from the federal government or the state or other public body,

1 entity, or agency and from any public or private institution,
2 association, corporation, or organization, including participants. It
3 shall not accept or receive from the state or any taxing agency any
4 money derived from taxes, except money to be devoted to the purposes of
5 a project of the state or of a taxing agency;

6 (10) To open and maintain a bank account or accounts in one or more
7 qualified public depositories in this state and to deposit all or any
8 part of authority funds therein;

9 (11) To employ consulting engineers, architects, attorneys,
10 accountants, construction and financial experts, superintendents,
11 managers, an executive director, and such other employees and agents as
12 may be necessary in its judgment to carry out the purposes of this
13 chapter, and to fix their compensation;

14 (12) To provide financing or refinancing to two or more
15 participants for a single project or for several projects in such
16 combinations as the authority deems necessary, useful, or convenient;

17 (13) To charge to and equitably apportion among participants the
18 administrative costs and expenses incurred in the exercise of the
19 powers and duties conferred by this chapter;

20 (14) To consult with the (~~higher education coordinating board~~)
21 student achievement council to determine project priorities under the
22 purposes of this chapter; and

23 (15) To do all other things necessary, useful, or convenient to
24 carry out the purposes of this chapter.

25 In the exercise of any of these powers, the authority shall incur
26 no expense or liability which shall be an obligation, either general or
27 special, of the state, or a general obligation of the authority, and
28 shall pay no expense or liability from funds other than funds of the
29 authority. Funds of the state shall not be used for such purpose.

30 **Sec. 509.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
31 read as follows:

32 The boards of regents of the University of Washington and
33 Washington State University, respectively, and the boards of trustees
34 of Central Washington University, Eastern Washington University,
35 Western Washington University, and The Evergreen State College,
36 respectively, shall have the power and authority to acquire by
37 exchange, gift, purchase, lease, or condemnation in the manner provided

1 by chapter 8.04 RCW for condemnation of property for public use, such
2 lands, real estate and other property, and interests therein as they
3 may deem necessary for the use of said institutions respectively.
4 However, the purchase or lease of major off-campus facilities is
5 subject to the approval of the (~~higher education coordinating board~~)
6 student achievement council under RCW 28B.76.230 (as recodified by this
7 act).

8 **Sec. 510.** RCW 28B.10.053 and 2011 2nd sp.s. c 3 s 1 are each
9 amended to read as follows:

10 (1) By December 1, 2011, and by June of each odd-numbered year
11 thereafter, the institutions of higher education shall collaboratively
12 develop a master list of postsecondary courses that can be fulfilled by
13 taking the advanced placement, international baccalaureate, or other
14 recognized college-level proficiency examinations, including but not
15 limited to examinations by a national multidisciplinary science,
16 technology, engineering, and mathematics program, and meeting the
17 qualifying examination score or demonstrated competencies for lower
18 division general education requirements or postsecondary professional
19 technical requirements. The master list of postsecondary courses
20 fulfilled by proficiency examinations or demonstrated competencies are
21 those that fulfill lower division general education requirements or
22 career and technical education requirements and qualify for
23 postsecondary credit. From the master list, each institution shall
24 create and publish a list of its courses that can be satisfied by
25 successful proficiency examination scores or demonstrated competencies
26 for lower division general education requirements or postsecondary
27 professional technical requirements. The qualifying examination scores
28 and demonstrated competencies shall be included in the published list.
29 The requirements to develop a master list under this section do not
30 apply if an institution has a clearly published policy of awarding
31 credit for the advanced placement, international baccalaureate, or
32 other recognized college-level placement exams and does not require
33 those credits to meet specific course requirements but generally
34 applies those credits towards degree requirements.

35 (2) To the maximum extent possible, institutions of higher
36 education shall agree on examination qualifying scores and demonstrated
37 competencies for the credits or courses under subsection (3) of this

1 section, with scores equivalent to qualified or well-qualified.
2 Nothing in this subsection shall prevent an institution of higher
3 education from adopting policies using higher scores for additional
4 purposes.

5 (3) Each institution of higher education, in designing its
6 certificate, technical degree program, two-year academic transfer
7 program, or freshman and sophomore courses of a baccalaureate program
8 or baccalaureate degree, must recognize the equivalencies of at least
9 one year of course credit and maximize the application of the credits
10 toward lower division general education requirements that can be earned
11 through successfully demonstrating proficiency on examinations,
12 including but not limited to advanced placement and international
13 baccalaureate examinations. The successful completion of the
14 examination and the award of credit shall be noted on the student's
15 college transcript.

16 (4) Each institution of higher education must clearly include in
17 its admissions materials and on its web site the credits or the
18 institution's list of postsecondary courses that can be fulfilled by
19 proficiency examinations or demonstrated competencies and the agreed-
20 upon examination scores and demonstrated competencies that qualify for
21 postsecondary credit. Each institution must provide the information to
22 the (~~higher education coordinating board~~) student achievement council
23 and state board for community and technical colleges in a form that the
24 superintendent of public instruction is able to distribute to school
25 districts.

26 **Sec. 511.** RCW 28B.10.118 and 2011 c 108 s 2 are each amended to
27 read as follows:

28 (1) State universities, regional universities, and The Evergreen
29 State College may develop accelerated baccalaureate degree programs
30 that will allow academically qualified students to obtain a
31 baccalaureate degree in three years without attending summer classes or
32 enrolling in more than a full-time class load during the regular
33 academic year. The programs must allow academically qualified students
34 to begin coursework within their academic field during their first term
35 or semester of enrollment.

36 (2) The state universities, regional universities, and The

1 Evergreen State College shall report on their plans for the accelerated
2 baccalaureate degree programs to the (~~higher education coordinating~~
3 ~~board~~) student achievement council for approval.

4 **Sec. 512.** RCW 28B.10.400 and 2011 1st sp.s. c 47 s 2 are each
5 amended to read as follows:

6 (1) The boards of regents of the state universities, the boards of
7 trustees of the regional universities and of The Evergreen State
8 College, the state board for community and technical colleges, and the
9 (~~higher education coordinating board~~) student achievement council are
10 authorized and empowered:

11 (a) To assist the faculties and such other employees exempt from
12 civil service pursuant to RCW 41.06.070 (1)(~~ee~~) (z) and (2) as any
13 such board may designate in the purchase of old age annuities or
14 retirement income plans under such rules as any such board may
15 prescribe, subject to the restrictions in subsection (2) of this
16 section. County agricultural agents, home demonstration agents, 4-H
17 club agents, and assistant county agricultural agents paid jointly by
18 the Washington State University and the several counties shall be
19 deemed to be full-time employees of the Washington State University for
20 the purposes of this section;

21 (b) To provide, under such rules as any such board may prescribe
22 for the faculty members or other employees exempt from civil service
23 pursuant to RCW 41.06.070 (1)(~~ee~~) (z) and (2) under its
24 supervision, for the retirement of any such faculty member or other
25 exempt employee on account of age or condition of health, retirement on
26 account of age to be not earlier than the sixty-fifth birthday:
27 PROVIDED, That such faculty member or such other exempt employee may
28 elect to retire at the earliest age specified for retirement by federal
29 social security law: PROVIDED FURTHER, That any supplemental payment
30 authorized by (c) of this subsection and paid as a result of retirement
31 earlier than age sixty-five shall be at an actuarially reduced rate;
32 and shall be provided only to those persons who participate in an
33 annuity or retirement income plan under (a) of this subsection prior to
34 July 1, 2011;

35 (c) To pay only to those persons who participate in an annuity or
36 retirement income plan under (a) of this subsection prior to July 1,
37 2011, or to his or her designated beneficiary(s), each year after his

1 or her retirement, a supplemental amount which, when added to the
2 amount of such annuity or retirement income plan, or retirement income
3 benefit pursuant to RCW 28B.10.415, received by the retired person or
4 the retired person's designated beneficiary(s) in such year, will not
5 exceed fifty percent of the average annual salary paid to such retired
6 person for his or her highest two consecutive years of full-time
7 service under an annuity or retirement income plan established pursuant
8 to (a) of this subsection at an institution of higher education:
9 PROVIDED, HOWEVER, That if such retired person prior to retirement
10 elected a supplemental payment survivors option, any such supplemental
11 payments to such retired person or the retired person's designated
12 beneficiary(s) shall be at actuarially reduced rates: PROVIDED
13 FURTHER, That if a faculty member or other employee of an institution
14 of higher education who is a participant in a retirement plan
15 authorized by this section dies, or has died before retirement but
16 after becoming eligible for retirement on account of age, the
17 designated beneficiary(s) shall be entitled to receive the supplemental
18 payment authorized by this subsection to which such designated
19 beneficiary(s) would have been entitled had said deceased faculty
20 member or other employee retired on the date of death after electing a
21 supplemental payment survivors option: PROVIDED FURTHER, That for the
22 purpose of this subsection, the designated beneficiary(s) shall be (i)
23 the surviving spouse of the retiree; or, (ii) with the written consent
24 of such spouse, if any, such other person or persons as shall have an
25 insurable interest in the retiree's life and shall have been nominated
26 by written designation duly executed and filed with the retiree's
27 institution of higher education.

28 (2) Boards are prohibited from offering a purchased annuity or
29 retirement income plan authorized under this section to employees hired
30 on or after July 1, 2011, who have retired or are eligible to retire
31 from a public employees' retirement system described in RCW 41.50.030.
32 The (~~higher education coordinating board~~) student achievement council
33 shall only offer participation in a purchased annuity or retirement
34 income plan authorized under this section to employees who have
35 previously contributed premiums to a similar qualified plan.

36 (3) During the 2011 legislative interim, the select committee on
37 pension policy shall evaluate the suitability and necessity of the
38 annuity and retirement plans authorized under this chapter for

1 employees in various positions within higher education institutions.
2 The select committee shall report its findings, including any
3 recommendations for restrictions on future plan membership, to the ways
4 and means committees of the house of representatives and the senate no
5 later than December 31, 2011.

6 **Sec. 513.** RCW 28B.10.405 and 2011 1st sp.s. c 47 s 3 are each
7 amended to read as follows:

8 Members of the faculties and such other employees exempt from civil
9 service pursuant to RCW 41.06.070 (1)((~~ee~~)) (z) and (2) as are
10 designated by the boards of regents of the state universities, the
11 boards of trustees of the regional universities and of The Evergreen
12 State College, the ((~~higher-education-coordinating-board~~)) student
13 achievement council, or the state board for community and technical
14 colleges who do not opt to become members of the teachers' retirement
15 system or the public employees' retirement system under RCW 41.32.836
16 or 41.40.798, or who are not prevented from participation in an annuity
17 or retirement plan under RCW 28B.10.400(2) shall be required to
18 contribute not less than five percent of their salaries during each
19 year of full-time service after the first two years of such service
20 toward the purchase of such annuity or retirement income plan; such
21 contributions may be in addition to federal social security tax
22 contributions, if any.

23 **Sec. 514.** RCW 28B.10.410 and 2011 1st sp.s. c 47 s 4 are each
24 amended to read as follows:

25 The boards of regents of the state universities, the boards of
26 trustees of the regional universities and of The Evergreen State
27 College, the ((~~higher-education-coordinating-board~~)) student
28 achievement council, or the state board for community and technical
29 colleges shall pay not more than one-half of the annual premium of any
30 annuity or retirement income plan established under the provisions of
31 RCW 28B.10.400. Such contribution shall not exceed ten percent of the
32 salary of the faculty member or other employee on whose behalf the
33 contribution is made. This contribution may be in addition to federal
34 social security tax contributions made by the boards, if any.

1 **Sec. 515.** RCW 28B.10.415 and 2011 1st sp.s. c 47 s 5 are each
2 amended to read as follows:

3 The boards of regents of the state universities, the boards of
4 trustees of the regional universities and of The Evergreen State
5 College, the ~~((higher — education — coordinating — board))~~ student
6 achievement council, or the state board for community and technical
7 colleges shall not pay any amount to be added to the annuity or
8 retirement income plan of any retired person who was first hired on or
9 after July 1, 2011, or who has served for less than ten years in one or
10 more of the state institutions of higher education. In the case of
11 persons who have served more than ten years but less than twenty-five
12 years no amount shall be paid in excess of four percent of the amount
13 authorized in RCW 28B.10.400(1)(c), multiplied by the number of years
14 of full-time service rendered by such person: PROVIDED, That credit
15 for years of service at an institution of higher education shall be
16 limited to those years in which contributions were made by a faculty
17 member or other employee designated pursuant to RCW 28B.10.400(1)(a)
18 and the institution or the state as a result of which a benefit is
19 being received by a retired person from any Washington state public
20 retirement plan: PROVIDED FURTHER, That all such benefits that a
21 retired person is eligible to receive shall reduce any supplementation
22 payments provided for in RCW 28B.10.400.

23 **Sec. 516.** RCW 28B.10.423 and 2011 1st sp.s. c 47 s 7 are each
24 amended to read as follows:

25 (1) For employees who are first employed by an institution of
26 higher education in a position eligible for participation in an old age
27 annuities or retirement income plan under this chapter prior to July 1,
28 2011, it is the intent of RCW 28B.10.400, 28B.10.405, 28B.10.410,
29 28B.10.415, 28B.10.420, and 28B.10.423 that the retirement income
30 resulting from the contributions described herein from the state of
31 Washington and the employee shall be projected actuarially so that it
32 shall not exceed sixty percent of the average of the highest two
33 consecutive years salary. Periodic review of the retirement systems
34 established pursuant to RCW 28B.10.400, 28B.10.405, 28B.10.410,
35 28B.10.415, 28B.10.420, and 28B.10.423 will be undertaken at such time
36 and in such manner as determined by the committees on ways and means of

1 the senate and of the house of representatives, the select committee on
2 pension policy, and the pension funding council, and joint contribution
3 rates will be adjusted if necessary to accomplish this intent.

4 (2) Beginning July 1, 2011, state funding for annuity or retirement
5 income plans under RCW 28B.10.400 shall not exceed six percent of
6 salary. The state board for community and technical colleges and the
7 (~~higher education coordinating board~~) student achievement council are
8 exempt from the provisions of this subsection (2).

9 (3) By June 30, 2013, and every two years thereafter, each
10 institution of higher education that is responsible for payment of
11 supplemental amounts under RCW 28B.10.400(1)(c) shall contract with the
12 state actuary under chapter 41.44 RCW for an actuarial valuation of
13 their supplemental benefit plan. By June 30, 2013, and at least once
14 every six years thereafter, each institution shall also contract with
15 the state actuary under chapter 41.44 RCW for an actuarial experience
16 study of the mortality, service, compensation, and other experience of
17 the annuity or retirement income plans created in this chapter, and
18 into the financial condition of each system. At the discretion of the
19 state actuary, the valuation or experience study may be performed by
20 the state actuary or by an outside actuarial firm under contract to the
21 office of the state actuary. Each institution of higher education is
22 required to provide the data and information required for the
23 performance of the valuation or experience study to the office of the
24 state actuary or to the actuary performing the study on behalf of the
25 state actuary. The state actuary may charge each institution for the
26 actual cost of the valuation or experience study through an interagency
27 agreement. Upon completion of the valuation or experience study, the
28 state actuary shall provide copies of the study to the institution of
29 higher education and to the select committee on pension policy and the
30 pension funding council.

31 (4)(a) A higher education retirement plan supplemental benefit fund
32 is created in the custody of the state treasurer for the purpose of
33 funding future benefit obligations of higher education retirement plan
34 supplemental benefits. The state investment board has the full power
35 to invest, reinvest, manage, contract, sell, or exchange investment
36 money in the fund.

37 (b) From January 1, 2012, through June 30, 2013, an employer

1 contribution rate of one-quarter of one percent of salary is
2 established to begin prefunding the unfunded future obligations of the
3 supplemental benefit established in RCW 28B.10.400.

4 (c) Beginning July 1, 2013, an employer contribution rate of one-
5 half of one percent of salary is established to prefund the unfunded
6 future obligations of the supplemental benefit established in RCW
7 28B.10.400.

8 (d) Consistent with chapter 41.50 RCW, the department of retirement
9 systems shall collect the employer contribution rates established in
10 this section from each state institution of higher education, and
11 deposit those contributions into the higher education retirement plan
12 supplemental benefit fund. The contributions made by each employer
13 into the higher education retirement plan supplemental benefit fund and
14 the earnings on those contributions shall be accounted for separately
15 within the fund.

16 (e) Following the completion and review of the initial actuarial
17 valuations and experience study conducted pursuant to subsection (3) of
18 this section, the pension funding council may:

19 (i) Adopt and make changes to the employer contribution rates
20 established in this subsection consistent with the procedures
21 established in chapter 41.45 RCW. If the actuarial valuations of the
22 higher education retirement plans of each institution contributing to
23 the higher education retirement plan supplemental benefit fund suggest
24 that different contribution rates are appropriate for each institution,
25 different rates may be adopted. Rates adopted by the pension funding
26 council are subject to revision by the legislature;

27 (ii) Recommend legislation that will, upon accumulation of
28 sufficient funding in the higher education retirement plan supplemental
29 benefit fund, transfer the responsibility for making supplemental
30 benefit payments to the department of retirement systems, and adjust
31 employer contribution rates to reflect the transfer of responsibility.

32 **Sec. 517.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended
33 to read as follows:

34 The participation rate used to calculate enrollment levels under
35 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment
36 reported in the higher education enrollment report as maintained by the
37 office of financial management, fall enrollment as reported in the

1 management information system of the state board for community and
2 technical colleges, and the corresponding fall population forecast by
3 the office of financial management. Formal estimates of the state
4 participation rates and enrollment levels necessary to fulfill the
5 requirements of RCW 28B.10.776 and 28B.10.782 shall be determined by
6 the office of financial management as part of its responsibility to
7 develop and maintain student enrollment forecasts for colleges and
8 universities under RCW 43.62.050. Formal estimates of the state
9 participation rates and enrollment levels required by this section
10 shall be based on procedures and standards established by a technical
11 work group consisting of staff from the (~~higher education coordinating~~
12 ~~board~~) student achievement council, the public four-year institutions
13 of higher education, the state board for community and technical
14 colleges, the fiscal and higher education committees of the house of
15 representatives and the senate, and the office of financial management.
16 Formal estimates of the state participation rates and enrollment levels
17 required by this section shall be submitted to the fiscal committees of
18 the house of representatives and senate on or before November 15th of
19 each even-numbered year. The (~~higher education coordinating board~~)
20 student achievement council shall periodically review the enrollment
21 goals set forth in RCW 28B.10.776 and 28B.10.782 and submit
22 recommendations concerning modification of these goals to the governor
23 and to the higher education committees of the house of representatives
24 and the senate.

25 **Sec. 518.** RCW 28B.10.790 and 2011 1st sp.s. c 11 s 139 are each
26 amended to read as follows:

27 Washington residents attending any nonprofit college or university
28 in another state which has a reciprocity agreement with the state of
29 Washington shall be eligible for the student financial aid program
30 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"
31 under RCW 28B.92.030(~~(+5)~~) (4), and (2) the institution attended is a
32 member institution of an accrediting association recognized by rule of
33 the (~~office of student financial assistance~~) student achievement
34 council for the purposes of this section and is specifically
35 encompassed within or directly affected by such reciprocity agreement
36 and agrees to and complies with program rules and regulations

1 pertaining to such students and institutions adopted pursuant to RCW
2 28B.92.150.

3 **Sec. 519.** RCW 28B.12.030 and 2011 1st sp.s. c 11 s 142 are each
4 amended to read as follows:

5 As used in this chapter, the following words and terms shall have
6 the following meanings, unless the context shall clearly indicate
7 another or different meaning or intent:

8 (1) The term "needy student" shall mean a student enrolled or
9 accepted for enrollment at a postsecondary institution who, according
10 to a system of need analysis approved by the office of student
11 financial assistance, demonstrates a financial inability, either
12 parental, familial, or personal, to bear the total cost of education
13 for any semester or quarter.

14 (2) The term "eligible institution" shall mean any postsecondary
15 institution in this state accredited by the Northwest Association of
16 Schools and Colleges, or a branch of a member institution of an
17 accrediting association recognized by rule of the (~~board~~) student
18 achievement council for purposes of this section, that is eligible for
19 federal student financial aid assistance and has operated as a
20 nonprofit college or university delivering on-site classroom
21 instruction for a minimum of twenty consecutive years within the state
22 of Washington, or any public technical college in the state.

23 **Sec. 520.** RCW 28B.12.040 and 2011 1st sp.s. c 11 s 143 are each
24 amended to read as follows:

25 The (~~office of student financial assistance~~) student achievement
26 council shall develop and administer the state work-study program. The
27 (~~board~~) council shall be authorized to enter into agreements with
28 employers and eligible institutions for the operation of the program.
29 These agreements shall include such provisions as the (~~office~~)
30 council may deem necessary or appropriate to carry out the purposes of
31 this chapter.

32 With the exception of off-campus community service placements, the
33 share from moneys disbursed under the state work-study program of the
34 compensation of students employed under such program in accordance with
35 such agreements shall not exceed eighty percent of the total such
36 compensation paid such students.

1 By rule, the (~~office~~) council shall define community service
2 placements and may determine any salary matching requirements for any
3 community service employers.

4 **Sec. 521.** RCW 28B.15.012 and 2011 1st sp.s. c 11 s 148 are each
5 amended to read as follows:

6 Whenever used in this chapter:

7 (1) The term "institution" shall mean a public university, college,
8 or community college within the state of Washington.

9 (2) The term "resident student" shall mean:

10 (a) A financially independent student who has had a domicile in the
11 state of Washington for the period of one year immediately prior to the
12 time of commencement of the first day of the semester or quarter for
13 which the student has registered at any institution and has in fact
14 established a bona fide domicile in this state primarily for purposes
15 other than educational;

16 (b) A dependent student, if one or both of the student's parents or
17 legal guardians have maintained a bona fide domicile in the state of
18 Washington for at least one year immediately prior to commencement of
19 the semester or quarter for which the student has registered at any
20 institution;

21 (c) A student classified as a resident based upon domicile by an
22 institution on or before May 31, 1982, who was enrolled at a state
23 institution during any term of the 1982-1983 academic year, so long as
24 such student's enrollment (excepting summer sessions) at an institution
25 in this state is continuous;

26 (d) Any student who has spent at least seventy-five percent of both
27 his or her junior and senior years in high schools in this state, whose
28 parents or legal guardians have been domiciled in the state for a
29 period of at least one year within the five-year period before the
30 student graduates from high school, and who enrolls in a public
31 institution of higher education within six months of leaving high
32 school, for as long as the student remains continuously enrolled for
33 three quarters or two semesters in any calendar year;

34 (e) Any person who has completed the full senior year of high
35 school and obtained a high school diploma, both at a Washington public
36 high school or private high school approved under chapter 28A.195 RCW,
37 or a person who has received the equivalent of a diploma; who has lived

1 in Washington for at least three years immediately prior to receiving
2 the diploma or its equivalent; who has continuously lived in the state
3 of Washington after receiving the diploma or its equivalent and until
4 such time as the individual is admitted to an institution of higher
5 education under subsection (1) of this section; and who provides to the
6 institution an affidavit indicating that the individual will file an
7 application to become a permanent resident at the earliest opportunity
8 the individual is eligible to do so and a willingness to engage in any
9 other activities necessary to acquire citizenship, including but not
10 limited to citizenship or civics review courses;

11 (f) Any person who has lived in Washington, primarily for purposes
12 other than educational, for at least one year immediately before the
13 date on which the person has enrolled in an institution, and who holds
14 lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii),
15 (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse
16 or child of a person having nonimmigrant status under one of those
17 subsections, or who, holding or having previously held such lawful
18 nonimmigrant status as a principal or derivative, has filed an
19 application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

20 (g) A student who is on active military duty stationed in the state
21 or who is a member of the Washington national guard;

22 (h) A student who is the spouse or a dependent of a person who is
23 on active military duty stationed in the state. If the person on
24 active military duty is reassigned out-of-state, the student maintains
25 the status as a resident student so long as the student is continuously
26 enrolled in a degree program;

27 (i) A student who resides in the state of Washington and is the
28 spouse or a dependent of a person who is a member of the Washington
29 national guard;

30 (j) A student of an out-of-state institution of higher education
31 who is attending a Washington state institution of higher education
32 pursuant to a home tuition agreement as described in RCW 28B.15.725;

33 (k) A student who meets the requirements of RCW 28B.15.0131:
34 PROVIDED, That a nonresident student enrolled for more than six hours
35 per semester or quarter shall be considered as attending for primarily
36 educational purposes, and for tuition and fee paying purposes only such
37 period of enrollment shall not be counted toward the establishment of

1 a bona fide domicile of one year in this state unless such student
2 proves that the student has in fact established a bona fide domicile in
3 this state primarily for purposes other than educational;

4 (l) A student who resides in Washington and is on active military
5 duty stationed in the Oregon counties of Columbia, Gilliam, Hood River,
6 Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union,
7 Wallowa, Wasco, or Washington; or

8 (m) A student who resides in Washington and is the spouse or a
9 dependent of a person who resides in Washington and is on active
10 military duty stationed in the Oregon counties of Columbia, Gilliam,
11 Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,
12 Union, Wallowa, Wasco, or Washington. If the person on active military
13 duty moves from Washington or is reassigned out of the Oregon counties
14 of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas,
15 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the
16 student maintains the status as a resident student so long as the
17 student resides in Washington and is continuously enrolled in a degree
18 program.

19 (3) The term "nonresident student" shall mean any student who does
20 not qualify as a "resident student" under the provisions of this
21 section and RCW 28B.15.013. Except for students qualifying under
22 subsection (2)(e) or (j) of this section, a nonresident student shall
23 include:

24 (a) A student attending an institution with the aid of financial
25 assistance provided by another state or governmental unit or agency
26 thereof, such nonresidency continuing for one year after the completion
27 of such semester or quarter.

28 (b) A person who is not a citizen of the United States of America
29 who does not have permanent or temporary resident status or does not
30 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
31 States citizenship immigration services or is not otherwise permanently
32 residing in the United States under color of law and who does not also
33 meet and comply with all the applicable requirements in this section
34 and RCW 28B.15.013.

35 (4) The term "domicile" shall denote a person's true, fixed and
36 permanent home and place of habitation. It is the place where the
37 student intends to remain, and to which the student expects to return
38 when the student leaves without intending to establish a new domicile

1 elsewhere. The burden of proof that a student, parent or guardian has
2 established a domicile in the state of Washington primarily for
3 purposes other than educational lies with the student.

4 (5) The term "dependent" shall mean a person who is not financially
5 independent. Factors to be considered in determining whether a person
6 is financially independent shall be set forth in rules adopted by the
7 (~~office of student financial assistance~~) student achievement council
8 and shall include, but not be limited to, the state and federal income
9 tax returns of the person and/or the student's parents or legal
10 guardian filed for the calendar year prior to the year in which
11 application is made and such other evidence as the (~~board~~) council
12 may require.

13 (6) The term "active military duty" means the person is serving on
14 active duty in:

15 (a) The armed forces of the United States government; or

16 (b) The Washington national guard; or

17 (c) The coast guard, merchant mariners, or other nonmilitary
18 organization when such service is recognized by the United States
19 government as equivalent to service in the armed forces.

20 **Sec. 522.** RCW 28B.15.013 and 2011 1st sp.s. c 11 s 149 are each
21 amended to read as follows:

22 (1) The establishment of a new domicile in the state of Washington
23 by a person formerly domiciled in another state has occurred if such
24 person is physically present in Washington primarily for purposes other
25 than educational and can show satisfactory proof that such person is
26 without a present intention to return to such other state or to acquire
27 a domicile at some other place outside of Washington.

28 (2) Unless proven to the contrary it shall be presumed that:

29 (a) The domicile of any person shall be determined according to the
30 individual's situation and circumstances rather than by marital status
31 or sex.

32 (b) A person does not lose a domicile in the state of Washington by
33 reason of residency in any state or country while a member of the civil
34 or military service of this state or of the United States, nor while
35 engaged in the navigation of the waters of this state or of the United
36 States or of the high seas if that person returns to the state of
37 Washington within one year of discharge from said service with the

1 intent to be domiciled in the state of Washington; any resident
2 dependent student who remains in this state when such student's
3 parents, having theretofore been domiciled in this state for a period
4 of one year immediately prior to the time of commencement of the first
5 day of the semester or quarter for which the student has registered at
6 any institution, remove from this state, shall be entitled to continued
7 classification as a resident student so long as such student's
8 attendance (except summer sessions) at an institution in this state is
9 continuous.

10 (3) To aid the institution in deciding whether a student, parent,
11 legally appointed guardian or the person having legal custody of a
12 student is domiciled in the state of Washington primarily for purposes
13 other than educational, the rules (~~and regulations~~) adopted by the
14 (~~office of student financial assistance~~) student achievement council
15 shall include but not be limited to the following:

16 (a) Registration or payment of Washington taxes or fees on a motor
17 vehicle, mobile home, travel trailer, boat, or any other item of
18 personal property owned or used by the person for which state
19 registration or the payment of a state tax or fee is required will be
20 a factor in considering evidence of the establishment of a Washington
21 domicile.

22 (b) Permanent full time employment in Washington by a person will
23 be a factor in considering the establishment of a Washington domicile.

24 (c) Registration to vote for state officials in Washington will be
25 a factor in considering the establishment of a Washington domicile.

26 (4) After a student has registered at an institution such student's
27 classification shall remain unchanged in the absence of satisfactory
28 evidence to the contrary. A student wishing to apply for a change in
29 classification shall reduce such evidence to writing and file it with
30 the institution. In any case involving an application for a change
31 from nonresident to resident status, the burden of proof shall rest
32 with the applicant. Any change in classification, either nonresident
33 to resident, or the reverse, shall be based upon written evidence
34 maintained in the files of the institution and, if approved, shall take
35 effect the semester or quarter such evidence was filed with the
36 institution: PROVIDED, That applications for a change in
37 classification shall be accepted up to the thirtieth calendar day

1 following the first day of instruction of the quarter or semester for
2 which application is made.

3 **Sec. 523.** RCW 28B.15.015 and 2011 1st sp.s. c 11 s 150 are each
4 amended to read as follows:

5 The (~~state's institutions~~) student achievement council, with the
6 advice of the attorney general, shall adopt rules (~~and regulations~~)
7 to be used by the state's institutions for determining a student's
8 resident and nonresident status and for recovery of fees for improper
9 classification of residency.

10 **Sec. 524.** RCW 28B.15.068 and 2011 1st sp.s. c 10 s 7 are each
11 amended to read as follows:

12 (1) By September 1st of each year beginning in 2011, the office of
13 financial management shall report to the governor, the (~~higher~~
14 ~~education—coordinating—board~~) student achievement council, and
15 appropriate committees of the legislature with updated estimates of:

16 (a) The total per-student funding level that represents the
17 sixtieth percentile of funding for similar institutions of higher
18 education in the global challenge states; and

19 (b) The tuition that represents the sixtieth percentile of resident
20 undergraduate tuition for similar institutions of higher education in
21 the global challenge states.

22 (2) As used in this section, "global challenge states" are the top
23 performing states on the new economy index published by the progressive
24 policy institute as of July 22, 2007. The new economy index ranks
25 states on indicators of their potential to compete in the new economy.
26 At least once every five years, the office of financial management
27 shall determine if changes to the list of global challenge states are
28 appropriate. The office of financial management shall report its
29 findings to the governor and the legislature.

30 (3) Institutions of higher education, in collaboration with
31 relevant student associations, shall aim to have all students who can
32 benefit from available tax credits that mitigate the costs of higher
33 education take advantage of these opportunities. These tax credits
34 include the American opportunity tax credit provided in the American
35 recovery and reinvestment act of 2009, the lifetime learning credit,
36 and other relevant tax credits for as long as they are available.

1 (4)(a) Institutions shall make every effort to communicate to
2 students and their families the benefits of such tax credits and
3 provide assistance to students and their families on how to apply.

4 (b) Information about relevant tax credits shall, to the greatest
5 extent possible, be incorporated into financial aid counseling,
6 admission information, and individual billing statements.

7 (c) Institutions shall, to the greatest extent possible, use all
8 means of communication, including but not limited to web sites, online
9 catalogues, admission and registration forms, mass email messaging,
10 social media, and outside marketing to ensure information about
11 relevant tax credits is visible and compelling, and reaches the maximum
12 amount of student and families that can benefit.

13 (5) In the event that the economic value of the American
14 opportunity tax credit is reduced or expires at any time before
15 December 31, 2012, institutions of higher education shall:

16 (a) Develop an updated tuition mitigation plan established under
17 RCW 28B.15.102 for the purpose of minimizing, to the greatest extent
18 possible, the increase in net cost of tuition or total cost of
19 attendance for students resulting from any such change. This plan
20 shall include the methods specified by the four-year institution of
21 higher education to avoid adding additional loan debt burdens to
22 students regardless of the source of such loans;

23 (b) Report to the governor and the relevant committees of the
24 legislature on their plans to adjust their tuition mitigation plans no
25 later than ninety days after any such change to the American
26 opportunity tax credit.

27 **Sec. 525.** RCW 28B.15.068 and 2011 1st sp.s. c 50 s 928 are each
28 amended to read as follows:

29 (1) Beginning with the 2007-08 academic year and ending with the
30 2016-17 academic year, tuition fees charged to full-time resident
31 undergraduate students, except in academic years 2009-10 and 2010-11,
32 may increase no greater than seven percent over the previous academic
33 year in any institution of higher education. Annual reductions or
34 increases in full-time tuition fees for resident undergraduate students
35 shall be as provided in the omnibus appropriations act, within the
36 seven percent increase limit established in this section. For academic
37 years 2009-10 and 2010-11 the omnibus appropriations act may provide

1 tuition increases greater than seven percent. To the extent that state
2 appropriations combined with tuition and fee revenues are insufficient
3 to achieve the total per-student funding goals established in
4 subsection (2) of this section, the legislature may revisit state
5 appropriations, authorized enrollment levels, and changes in tuition
6 fees for any given fiscal year. In order to facilitate the full
7 implementation of chapter 10, Laws of 2011 1st sp. sess. for the
8 2011-12 academic year and thereafter, the institutions of higher
9 education are authorized to adopt tuition levels that are less than,
10 equal to, or greater than the tuition levels assumed in the omnibus
11 appropriations act, subject to the conditions and limitations in this
12 chapter and the omnibus appropriations act.

13 (2) The state shall adopt as its goal total per-student funding
14 levels, from state appropriations plus tuition and fees, of at least
15 the sixtieth percentile of total per-student funding at similar public
16 institutions of higher education in the global challenge states. In
17 defining comparable per-student funding levels, the office of financial
18 management shall adjust for regional cost-of-living differences; for
19 differences in program offerings and in the relative mix of lower
20 division, upper division, and graduate students; and for accounting and
21 reporting differences among the comparison institutions. The office of
22 financial management shall develop a funding trajectory for each four-
23 year institution of higher education and for the community and
24 technical college system as a whole that when combined with tuition and
25 fees revenue allows the state to achieve its funding goal for each
26 four-year institution and the community and technical college system as
27 a whole no later than fiscal year 2017. The state shall not reduce
28 enrollment levels below fiscal year 2007 budgeted levels in order to
29 improve or alter the per-student funding amount at any four-year
30 institution of higher education or the community and technical college
31 system as a whole. The state recognizes that each four-year
32 institution of higher education and the community and technical college
33 system as a whole have different funding requirements to achieve
34 desired performance levels, and that increases to the total per-student
35 funding amount may need to exceed the minimum funding goal.

36 (3) By September 1st of each year beginning in 2008, the office of
37 financial management shall report to the governor, the (~~higher~~
38 ~~education – coordinating – board~~) student achievement council, and

1 appropriate committees of the legislature with updated estimates of the
2 total per-student funding level that represents the sixtieth percentile
3 of funding for comparable institutions of higher education in the
4 global challenge states, and the progress toward that goal that was
5 made for each of the public institutions of higher education.

6 (4) As used in this section, "global challenge states" are the top
7 performing states on the new economy index published by the progressive
8 policy institute as of July 22, 2007. The new economy index ranks
9 states on indicators of their potential to compete in the new economy.
10 At least once every five years, the office of financial management
11 shall determine if changes to the list of global challenge states are
12 appropriate. The office of financial management shall report its
13 findings to the governor and the legislature.

14 (5) During the 2009-10 and the 2010-11 academic years, institutions
15 of higher education shall include information on their billing
16 statements notifying students of tax credits available through the
17 American opportunity tax credit provided in the American recovery and
18 reinvestment act of 2009.

19 **Sec. 526.** RCW 28B.15.102 and 2011 1st sp.s. c 10 s 6 are each
20 amended to read as follows:

21 (1) Beginning with the 2011-12 academic year, any four-year
22 institution of higher education that increases tuition beyond levels
23 assumed in the omnibus appropriations act is subject to the financial
24 aid requirements included in this section and shall remain subject to
25 these requirements through the 2018-19 academic year.

26 (2) Beginning July 1, 2011, each four-year institution of higher
27 education that raises tuition beyond levels assumed in the omnibus
28 appropriations act shall, in a manner consistent with the goal of
29 enhancing the quality of and access to their institutions, provide
30 financial aid to offset full-time tuition fees for resident
31 undergraduate students as follows:

32 (a) Subtract from the full-time tuition fees an amount that is
33 equal to the maximum amount of a state need grant award that would be
34 given to an eligible student with a family income at or below fifty
35 percent of the state's median family income as determined by the
36 (~~higher education coordinating board~~) student achievement council;
37 and

1 (b) Offset the remainder as follows:

2 (i) Students with demonstrated need whose family incomes are at or
3 below fifty percent of the state's median family income shall receive
4 financial aid equal to one hundred percent of the remainder if an
5 institution's full-time tuition fees for resident undergraduate
6 students is five percent or greater of the state's median family income
7 for a family of four as provided by the (~~higher-education-coordinating~~
8 ~~board~~) student achievement council;

9 (ii) Students with demonstrated need whose family incomes are
10 greater than fifty percent and no more than seventy percent of the
11 state's median family income shall receive financial aid equal to
12 seventy-five percent of the remainder if an institution's full-time
13 tuition fees for resident undergraduate students is ten percent or
14 greater of the state's median family income for a family of four as
15 provided by the (~~higher-education-coordinating-board~~) student
16 achievement council;

17 (iii) Students with demonstrated need whose family incomes exceed
18 seventy percent and are less than one hundred percent of the state's
19 median family income shall receive financial aid equal to fifty percent
20 of the remainder if an institution's full-time tuition fees for
21 resident undergraduate students is fifteen percent or greater of the
22 state's median family income for a family of four as provided by the
23 (~~higher-education-coordinating-board~~) student achievement council;
24 and

25 (iv) Students with demonstrated need whose family incomes are at or
26 exceed one hundred percent and are no more than one hundred twenty-five
27 percent of the state's median family income shall receive financial aid
28 equal to twenty-five percent of the remainder if an institution's
29 full-time tuition fees for resident undergraduate students is twenty
30 percent or greater of the state's median family income for a family of
31 four as provided by the (~~higher-education-coordinating-board~~) student
32 achievement council.

33 (3) The financial aid required in subsection (2) of this section
34 shall:

35 (a) Be reduced by the amount of other financial aid awards, not
36 including the state need grant;

37 (b) Be prorated based on credit load; and

38 (c) Only be provided to students up to demonstrated need.

1 (4) Financial aid sources and methods may be:

2 (a) Tuition revenue or locally held funds;

3 (b) Tuition waivers created by a four-year institution of higher
4 education for the specific purpose of serving low and middle-income
5 students; or

6 (c) Local financial aid programs.

7 (5) Use of tuition waivers as specified in subsection (4)(b) of
8 this section shall not be included in determining total state tuition
9 waiver authority as defined in RCW 28B.15.910.

10 (6) By August 15, 2012, and August 15th every year thereafter,
11 four-year institutions of higher education shall report to the governor
12 and relevant committees of the legislature on the effectiveness of the
13 various sources and methods of financial aid in mitigating tuition
14 increases. A key purpose of these reports is to provide information
15 regarding the results of the decision to grant tuition-setting
16 authority to the four-year institutions of higher education and whether
17 tuition setting authority should continue to be granted to the
18 institutions or revert back to the legislature after consideration of
19 the impacts on students, including educational access, affordability,
20 and quality. These reports shall include:

21 (a) The amount of additional financial aid provided to middle-
22 income and low-income students with demonstrated need in the aggregate
23 and per student;

24 (b) An itemization of the sources and methods of financial aid
25 provided by the four-year institution of higher education in the
26 aggregate and per student;

27 (c) An analysis of the combined impact of federal tuition tax
28 credits and financial aid provided by the institution of higher
29 education on the net cost to students and their families resulting from
30 tuition increases;

31 (d) In cases where tuition increases are greater than those assumed
32 in the omnibus appropriations act at any four-year institution of
33 higher education, the institution must include an explanation in its
34 report of why this increase was necessary and how the institution will
35 mitigate the effects of the increase. The institution must include in
36 this section of its report a plan and specific timelines; and

37 (e) An analysis of changes in resident student enrollment patterns,
38 participation rates, graduation rates, and debt load, by race and

1 ethnicity, gender, state and county of origin, age, and socioeconomic
2 status, and a plan to mitigate effects of reduced diversity due to
3 tuition increases. This analysis shall include disaggregated data for
4 resident students in the following income brackets:

5 (i) Up to seventy percent of the median family income;

6 (ii) Between seventy-one percent and one hundred twenty-five
7 percent of the median family income; and

8 (iii) Above one hundred twenty-five percent of the median family
9 income.

10 (7) Beginning in the 2012-13 academic year, the University of
11 Washington shall enroll during each academic year at least the same
12 number of resident freshman undergraduate students at the Seattle
13 campus, as defined in RCW 28B.15.012, as enrolled during the 2009-10
14 academic year. This requirement shall not apply to nonresident
15 undergraduate and graduate and professional students.

16 **Sec. 527.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read
17 as follows:

18 (1) An institution of higher education shall not grant any waivers
19 for the purpose of achieving gender equity until the 1991-92 academic
20 year, and may grant waivers for the purpose of achieving gender equity
21 in intercollegiate athletic programs as authorized in RCW 28B.15.740,
22 for the 1991-92 academic year only if the institution's governing board
23 has adopted a plan for complying with the provisions of RCW 28B.15.455
24 and submitted the plan to the (~~higher education coordinating board~~)
25 student achievement council.

26 (2)(a) Beginning in the 1992-93 academic year, an institution of
27 higher education shall not grant any waiver for the purpose of
28 achieving gender equity in intercollegiate athletic programs as
29 authorized in RCW 28B.15.740 unless the institution's plan has been
30 approved by the (~~higher education coordinating board~~) student
31 achievement council.

32 (b) Beginning in the 1999-2000 academic year, an institution that
33 did not provide, by June 30, 1998, athletic opportunities for an
34 historically underrepresented gender class at a rate that meets or
35 exceeds the current rate at which that class participates in high
36 school athletics in Washington state shall have a new institutional

1 plan approved by the (~~higher education coordinating board~~) student
2 achievement council before granting further waivers.

3 (c) Beginning in the 2003-04 academic year, an institution of
4 higher education that was not within five percent of the ratio of
5 undergraduates described in RCW 28B.15.470 by June 30, 2002, shall have
6 a new plan for achieving gender equity in intercollegiate athletic
7 programs approved by the (~~higher education coordinating board~~)
8 student achievement council before granting further waivers.

9 (3) The plan shall include, but not be limited to:

10 (a) For any institution with an historically underrepresented
11 gender class described in subsection (2)(b) of this section, provisions
12 that ensure that by July 1, 2000, the institution shall provide
13 athletic opportunities for the underrepresented gender class at a rate
14 that meets or exceeds the current rate at which that class participates
15 in high school interscholastic athletics in Washington state not to
16 exceed the point at which the underrepresented gender class is no
17 longer underrepresented;

18 (b) For any institution with an underrepresented gender class
19 described in subsection (2)(c) of this section, provisions that ensure
20 that by July 1, 2004, the institution will have reached substantial
21 proportionality in its athletic program;

22 (c) Activities to be undertaken by the institution to increase
23 participation rates of any underrepresented gender class in
24 interscholastic and intercollegiate athletics. These activities may
25 include, but are not limited to: Sponsoring equity conferences,
26 coaches clinics and sports clinics; and taking a leadership role in
27 working with athletic conferences to reduce barriers to participation
28 by those gender classes in interscholastic and intercollegiate
29 athletics;

30 (d) An identification of barriers to achieving and maintaining
31 equitable intercollegiate athletic opportunities for men and women; and

32 (e) Measures to achieve institutional compliance with the
33 provisions of RCW 28B.15.455.

34 **Sec. 528.** RCW 28B.15.760 and 2011 1st sp.s. c 11 s 155 are each
35 reenacted and amended to read as follows:

36 Unless the context clearly requires otherwise, the definitions in
37 this section apply throughout RCW 28B.15.762 and 28B.15.764.

1 (1) (~~("Board" means the higher education coordinating board.~~
2 ~~(2))~~) "Borrower" means an eligible student who has received a loan
3 under RCW 28B.15.762.

4 (2) "Council" means the student achievement council.

5 (3) "Eligible student" means a student registered for at least ten
6 credit hours or the equivalent and demonstrates achievement of a 3.00
7 grade point average for each academic year, who is a resident student
8 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy
9 student" as defined in RCW 28B.92.030, and who has a declared major in
10 a program leading to a degree in teacher education in a field of
11 science or mathematics, or a certificated teacher who meets the same
12 credit hour and "needy student" requirements and is seeking an
13 additional degree in science or mathematics.

14 (4) "Forgiven" or "to forgive" means to collect service as a
15 teacher in a field of science or mathematics at a public school in the
16 state of Washington in lieu of monetary payment.

17 (5) "Institution of higher education" or "institution" means a
18 college or university in the state of Washington which is a member
19 institution of an accrediting association recognized as such by rule of
20 the (~~(higher education coordinating board)~~) council.

21 (6) "Office" means the office of student financial assistance.

22 (7) "Public school" means a middle school, junior high school, or
23 high school within the public school system referred to in Article IX
24 of the state Constitution.

25 (8) "Satisfied" means paid-in-full.

26 **Sec. 529.** RCW 28B.15.762 and 2011 1st sp.s. c 11 s 156 are each
27 amended to read as follows:

28 (1) The (~~(office)~~) council may make long-term loans to eligible
29 students at institutions of higher education from the funds
30 appropriated to the (~~(office)~~) council for this purpose. The amount of
31 any such loan shall not exceed the demonstrated financial need of the
32 student or two thousand five hundred dollars for each academic year
33 whichever is less, and the total amount of such loans to an eligible
34 student shall not exceed ten thousand dollars. The interest rates and
35 terms of deferral of such loans shall be consistent with the terms of
36 the guaranteed loan program established by 20 U.S.C. Sec. 1701 et seq.
37 The period for repaying the loan principal and interest shall be ten

1 years with payments accruing quarterly commencing nine months from the
2 date the borrower graduated. The entire principal and interest of each
3 loan payment shall be forgiven for each payment period in which the
4 borrower teaches science or mathematics in a public school in this
5 state until the entire loan is satisfied or the borrower ceases to
6 teach science or mathematics at a public school in this state. Should
7 the borrower cease to teach science or mathematics at a public school
8 in this state before the time in which the principal and interest on
9 the loan are satisfied, payments on the unsatisfied portion of the
10 principal and interest on the loan shall begin the next payment period
11 and continue until the remainder of the loan is paid.

12 (2) The (~~office~~) council is responsible for collection of loans
13 made under subsection (1) of this section and shall exercise due
14 diligence in such collection, maintaining all necessary records to
15 insure that maximum repayments are made. Collection and servicing of
16 loans under subsection (1) of this section shall be pursued using the
17 full extent of the law, including wage garnishment if necessary, and
18 shall be performed by entities approved for such servicing by the
19 Washington student loan guaranty association or its successor agency.
20 The (~~board~~) council is responsible to forgive all or parts of such
21 loans under the criteria established in subsection (1) of this section
22 and shall maintain all necessary records of forgiven payments.

23 (3) Receipts from the payment of principal or interest or any other
24 subsidies to which the (~~board~~) council as lender is entitled, which
25 are paid by or on behalf of borrowers under subsection (1) of this
26 section, shall be deposited with the office and shall be used to cover
27 the costs of making the loans under subsection (1) of this section,
28 maintaining necessary records, and making collections under subsection
29 (2) of this section. The office shall maintain accurate records of
30 these costs, and all receipts beyond those necessary to pay such costs
31 shall be used to make loans to eligible students.

32 (4) Any funds not used to make loans, or to cover the cost of
33 making loans or making collections, shall be placed in the state
34 educational trust fund for needy or disadvantaged students.

35 (5) The (~~office~~) council shall adopt necessary rules to implement
36 this section.

1 **Sec. 530.** RCW 28B.30.515 and 2011 c 321 s 1 are each amended to
2 read as follows:

3 (1) The legislature finds that access to baccalaureate and graduate
4 degree programs continues to be limited for residents of north
5 Snohomish, Island, and Skagit counties. Studies conducted by the state
6 board for community and technical colleges, the higher education
7 coordinating board, and the council of presidents confirm that
8 enrollment in higher education compared to demand in this geographic
9 region lags behind enrollment in other parts of the state, particularly
10 for upper-division courses leading to advanced degrees.

11 (2) The legislature also finds that access to high employer demand
12 programs of study is imperative for the state's global competitiveness
13 and economic prosperity, particularly those degrees in the science,
14 technology, engineering, and mathematics (STEM) fields that align with
15 the workforce skill demands of the regional economy, that support the
16 aerospace industry, and provide skilled undergraduate and
17 graduate-degree engineers required by the largest employers in the
18 aerospace industry cluster.

19 (3) The legislature finds that meeting the long-range goal of
20 greatly expanded access for the population of the region to the widest
21 array of baccalaureate and graduate programs can best be accomplished
22 by assigning responsibility to a research university with multiple
23 experiences in similar settings.

24 (4) Management and leadership of the University Center of North
25 Puget Sound is assigned to Washington State University to meet the
26 needs of the Everett metropolitan area and the north Snohomish, Island,
27 and Skagit county region and the state of Washington for baccalaureate
28 and graduate degrees offered by a state university. The chief
29 executive officer of the University Center of North Puget Sound is the
30 director who reports to the president of Washington State University.
31 The director shall manage the activities and logistics of operating the
32 center, make policy and planning recommendations to the council in
33 subsection (5) of this section, and implement decisions of the council.

34 (5)(a) Washington State University and Everett Community College
35 must collaborate with community leaders, and other four-year
36 institutions of higher education that offer programs at the University
37 Center of North Puget Sound to serve the varied interests of students
38 in the region. To this end, a coordinating and planning council must

1 be established to be responsible for long-range and strategic planning,
2 interinstitutional collaboration, collaboration with the community
3 served, and dispute resolution for the center. The following
4 individuals shall comprise the coordinating and planning council:

5 (i) The president of Washington State University, or his or her
6 designee;

7 (ii) The provost of Washington State University, or his or her
8 designee;

9 (iii) The president of Everett Community College;

10 (iv) Two representatives of two other institutions of higher
11 education that offer baccalaureate or graduate degree programs at the
12 center;

13 (v) A student enrolled at the University Center of North Puget
14 Sound appointed by the coordinating and planning council;

15 (vi) The director of the council, as the nonvoting chair;

16 (vii) A community leader appointed by the president of Everett
17 Community College; and

18 (viii) A community leader appointed by the mayor of Everett.

19 (b) The coordinating and planning council may appoint other groups,
20 as appropriate, to advise on administration and operations, and may
21 alter its own composition by agreement of all the members.

22 (6)(a) Washington State University shall assume leadership of the
23 center upon completion and approval by the legislature as provided
24 under (d) of this subsection of a strategic plan for meeting the
25 academic needs of the region and successful establishment of an
26 engineering degree program. The strategic plan must build on the
27 strengths of the institutions, reflecting each institution's mission,
28 in order to provide the region with the highest standard of educational
29 programs, research, and service to the community. The strategic plan
30 must include a multibiennium budget that addresses both operating and
31 capital expenses required to effectively implement the plan. The
32 strategic plan shall be developed with the collaboration of the
33 University Center at Everett Community College and all the institutions
34 of higher education that provide baccalaureate degrees at the
35 University Center, and community leaders.

36 (b) Center partners must implement the strategic plan with careful
37 attention to the academic and professional standards established and

1 maintained by each institution and by the appropriate accrediting
2 bodies, and to the historic role of each institution's governing board
3 in setting policy.

4 (c) The strategic plan must address expansion of the range and
5 depth of educational opportunities in the region and include strategies
6 that:

7 (i) Build upon baccalaureate and graduate degree offerings at the
8 center;

9 (ii) Meet projected student enrollment demands for baccalaureate,
10 graduate, and certificate programs in the region;

11 (iii) Meet employers' needs for skilled workers by expanding high
12 employer demand programs of study as defined in RCW 28B.50.030, with an
13 initial and ongoing emphasis by Washington State University on
14 undergraduate and graduate science, technology, mathematics, and
15 engineering degree programs, including a variety of engineering
16 disciplines such as civil, mechanical, aeronautical, and aerospace
17 manufacturing;

18 (iv) Coordinate delivery of lower and upper division courses to
19 maximize student opportunities and resources; and

20 (v) Transfer budget support and resources for the center from
21 Everett Community College to Washington State University.

22 (d) The strategic plan must be completed by December 1, 2012, and
23 submitted to the legislature for review. The strategic plan shall be
24 considered approved if the legislature does not take further action on
25 the strategic plan during the 2013 legislative session. The transfer
26 of the responsibility for the management and operation of the
27 University Center of North Puget Sound to Washington State University
28 must occur by July 1, 2014.

29 (7)(a) Academic programming and delivery at the center must be
30 developed in accordance with the missions of Washington State
31 University, Everett Community College, and other institutions of higher
32 education that have a presence at the center.

33 (b) Each institution shall abide by the guidelines for university
34 centers adopted by the (~~higher education coordinating board~~) student
35 achievement council.

36 (c) Each institution shall award all degrees and certificates
37 granted in the programs it delivers at the center.

1 (d) The coordinating council described in subsection (5) of this
2 section shall establish a process for prioritizing new programs and
3 revising existing programs that facilitates timeliness of new
4 offerings, recognizes the internal processes of the proposing
5 institutions, and addresses each proposal's fit with the needs of the
6 region.

7 (8)(a) Washington State University shall review center expansion
8 needs and consider capital facilities funding at least annually.
9 Washington State University and Everett Community College must
10 cooperate in preparing funding requests and bond financing for
11 submission to the legislature on behalf of development at the center,
12 in accordance with each institution's process and priorities for
13 advancing legislative requests.

14 (b) Washington State University shall design, construct, and manage
15 any facility developed at the center. Any facility developed at the
16 center with Everett Community College capital funding must be designed
17 by Everett Community College in consultation with Washington State
18 University. Building construction may be managed by Washington State
19 University via an interagency agreement which details responsibility
20 and associated costs. Building operations and management for all
21 facilities at the center must be governed by the infrastructure and
22 operating cost allocation method described in subsection (9) of this
23 section.

24 (9) Washington State University has responsibility for
25 infrastructure development and maintenance for the center. All
26 infrastructure operating and maintenance costs are to be shared in what
27 is deemed to be an equitable and fair manner based on space allocation,
28 special cost, and other relevant considerations. Washington State
29 University may make infrastructure development and maintenance
30 decisions in consultation with the council described in subsection (5)
31 of this section.

32 (10) In the event that conflict cannot be resolved through the
33 coordinating council described in subsection (5) of this section the
34 (~~higher education coordinating board~~) student achievement council
35 dispute resolution must be employed.

36 **Sec. 531.** RCW 28B.45.014 and 2011 c 208 s 1 are each amended to
37 read as follows:

1 (1) The primary mission of the higher education branch campuses
2 created under this chapter remains to expand access to baccalaureate
3 and graduate education in underserved urban areas of the state in
4 collaboration with community and technical colleges. The top priority
5 for each of the campuses is to expand courses and degree programs for
6 transfer and graduate students. New degree programs should be driven
7 by the educational needs and demands of students and the community, as
8 well as the economic development needs of local businesses and
9 employers.

10 (2) Branch campuses shall collaborate with the community and
11 technical colleges in their region to develop articulation agreements,
12 dual admissions policies, and other partnerships to ensure that branch
13 campuses serve as innovative models of a two plus two educational
14 system. Other possibilities for collaboration include but are not
15 limited to joint development of curricula and degree programs,
16 colocation of instruction, and arrangements to share faculty.

17 (3) In communities where a private postsecondary institution is
18 located, representatives of the private institution may be invited to
19 participate in the conversation about meeting the baccalaureate and
20 graduate needs in underserved urban areas of the state.

21 (4) However, the legislature recognizes there are alternative
22 models for achieving this primary mission. Some campuses may have
23 additional missions in response to regional needs and demands. At
24 selected branch campuses, an innovative combination of instruction and
25 research targeted to support regional economic development may be
26 appropriate to meet the region's needs for both access and economic
27 viability. Other campuses should focus on becoming models of a two
28 plus two educational system through continuous improvement of
29 partnerships and agreements with community and technical colleges.
30 Still other campuses may be best suited to transition to a four-year
31 university or be removed from designation as a branch campus entirely.

32 (5) The legislature recognizes that size, mix of degree programs,
33 and proportion of lower versus upper division and graduate enrollments
34 are factors that affect costs at branch campuses. However over time,
35 the legislature intends that branch campuses be funded more similarly
36 to regional universities.

37 (6) (~~Subject to approval by the higher education coordinating~~

1 ~~board, in accordance with RCW 28B.76.230,)~~) Research universities are
2 authorized to develop doctoral degree programs at their branch
3 campuses.

4 (7) The (~~higher education coordinating board~~) student achievement
5 council shall monitor and evaluate growth of the branch campuses and
6 periodically report and make recommendations to the higher education
7 committees of the legislature to ensure the campuses continue to follow
8 the priorities established under this chapter.

9 **Sec. 532.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to
10 read as follows:

11 (1) The University of Washington is responsible for ensuring the
12 expansion of baccalaureate and graduate educational programs in the
13 central Puget Sound area under rules or guidelines adopted by the
14 (~~higher education coordinating board~~) student achievement council and
15 in accordance with proportionality agreements emphasizing access for
16 transfer students developed with the state board for community and
17 technical colleges. The University of Washington shall meet that
18 responsibility through the operation of at least two branch campuses.
19 One branch campus shall be located in the Tacoma area. Another branch
20 campus shall be collocated with Cascadia Community College in the
21 Bothell-Woodinville area.

22 (2) At the University of Washington Tacoma, a top priority is
23 expansion of upper division capacity for transfer students and graduate
24 capacity and programs. Beginning in the fall of 2006, the campus may
25 offer lower division courses linked to specific majors in fields not
26 addressed at local community colleges. The campus shall admit lower
27 division students through coadmission or coenrollment agreements with
28 a community college, or through direct transfer for students who have
29 accumulated approximately one year of transferable college credits. In
30 addition to offering lower division courses linked to specific majors
31 as addressed above, the campus may also directly admit freshmen and
32 sophomores (~~gradually and deliberately in accordance with the campus~~
33 ~~plan submitted to the higher education coordinating board in 2004~~)).

34 (3) At the University of Washington Bothell, a top priority is
35 expansion of upper division capacity for transfer students and graduate
36 capacity and programs. The campus shall also seek additional
37 opportunities to collaborate with and maximize its (~~collocation~~

1 ~~{relocation}~~) colocation with Cascadia Community College. Beginning
2 in the fall of 2006, the campus may offer lower division courses linked
3 to specific majors in fields not addressed at local community colleges.
4 The campus may admit lower division students through coadmission or
5 coenrollment agreements with a community college, or through direct
6 transfer for students who have accumulated approximately one year of
7 transferable college credits. In addition to offering lower division
8 courses linked to specific majors as addressed above, the campus may
9 also directly admit freshmen and sophomores (~~(gradually — and~~
10 ~~deliberately in accordance with the campus plan submitted to the higher~~
11 ~~education coordinating board in 2004)~~).

12 **Sec. 533.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to
13 read as follows:

14 (1) Washington State University is responsible for providing
15 baccalaureate and graduate level higher education programs to the
16 citizens of the Tri-Cities area, under rules or guidelines adopted by
17 the (~~higher education coordinating board~~) student achievement council
18 and in accordance with proportionality agreements emphasizing access
19 for transfer students developed with the state board for community and
20 technical colleges. Washington State University shall meet that
21 responsibility through the operation of a branch campus in the Tri-
22 Cities area. The branch campus shall replace and supersede the Tri-
23 Cities university center. All land, facilities, equipment, and
24 personnel of the Tri-Cities university center shall be transferred from
25 the University of Washington to Washington State University.

26 (2) (~~In 2005, the legislature authorized the expansion on a~~
27 ~~limited basis of Washington State University's branch campus in the~~
28 ~~Tri-Cities area. The legislature authorized the Tri-Cities branch~~
29 ~~campus to continue providing innovative coadmission and coenrollment~~
30 ~~options with Columbia Basin College, and to expand its upper division~~
31 ~~capacity for transfer students and graduate capacity and programs. The~~
32 ~~branch campus was given authority beginning in fall 2006 to offer~~
33 ~~lower division courses linked to specific majors in fields not~~
34 ~~addressed at the local community colleges. The campus was also~~
35 ~~authorized to directly admit freshmen and sophomores for a bachelor's~~
36 ~~degree program in biotechnology subject to approval by the higher~~
37 ~~education coordinating board. The legislature finds that the Tri-~~

1 ~~Cities community is very engaged in and committed to exploring the~~
2 ~~further expansion of Washington State University Tri-Cities branch~~
3 ~~campus into a four-year institution and considers this issue to be a~~
4 ~~top priority for the larger Tri-Cities region.~~

5 ~~(3) Washington State University Tri-Cities shall continue providing~~
6 ~~innovative coadmission and coenrollment options with Columbia Basin~~
7 ~~College, and expand its upper division capacity for transfer students~~
8 ~~and graduate capacity and programs. The campus shall also seek~~
9 ~~additional opportunities to collaborate with the Pacific Northwest~~
10 ~~national laboratory. Beginning in the fall of 2006, the campus may~~
11 ~~offer lower division courses linked to specific majors in fields not~~
12 ~~addressed at local community colleges. The campus may admit lower~~
13 ~~division students through coadmission or coenrollment agreements with~~
14 ~~a community college, or through direct transfer for students who have~~
15 ~~accumulated approximately one year of transferable college credits. In~~
16 ~~addition to offering lower division courses linked to specific majors~~
17 ~~as addressed above, the campus may also directly admit freshmen and~~
18 ~~sophomores for a bachelor's degree program in biotechnology subject to~~
19 ~~approval by the higher education coordinating board.~~

20 ~~(4) The Washington State University Tri-Cities branch campus shall~~
21 ~~develop a plan for expanding into a four-year institution and shall~~
22 ~~identify new degree programs and course offerings focused on areas of~~
23 ~~specific need in higher education that exist in southeastern~~
24 ~~Washington. The branch campus's plan should examine the resources and~~
25 ~~talent available in the Tri-Cities area, including but not limited to~~
26 ~~resources and talent available at the Pacific Northwest national~~
27 ~~laboratory, and how these resources and talent may best be used by the~~
28 ~~Tri-Cities branch campus to expand into a four-year institution. The~~
29 ~~branch campus shall submit its plan to the legislature and the higher~~
30 ~~education coordinating board by November 30, 2006.~~

31 ~~(5)) Beginning in the fall of 2007, the Washington State~~
32 ~~University Tri-Cities branch campus may ((begin, subject to approval by~~
33 ~~the higher education coordinating board, admitting lower division~~
34 ~~students directly into programs beyond the biotechnology field that are~~
35 ~~identified in its plan as being in high need in southeastern~~
36 ~~Washington. Such fields may include but need not be limited to~~
37 ~~science, engineering and technology, biomedical sciences, alternative~~
38 ~~energy, and computational and information sciences. By gradually and~~

1 ~~deliberately admitting freshmen and sophomores in accordance with its~~
2 ~~plan, — increasing — transfer — enrollment, — and — coadmitting — transfer~~
3 ~~students, the campus shall develop into a four-year institution serving~~
4 ~~the — southeastern — Washington — region)) directly admit freshman and
5 sophomore students.~~

6 **Sec. 534.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to
7 read as follows:

8 (1) Washington State University is responsible for providing
9 baccalaureate and graduate level higher education programs to the
10 citizens of the southwest Washington area, under rules or guidelines
11 adopted by the (~~higher — education — coordinating — board~~) student
12 achievement council and in accordance with proportionality agreements
13 emphasizing access for transfer students developed with the state board
14 for community and technical colleges. Washington State University
15 shall meet that responsibility through the operation of a branch campus
16 in the southwest Washington area.

17 (2) Washington State University Vancouver shall expand upper
18 division capacity for transfer students and graduate capacity and
19 programs and continue to collaborate with local community colleges on
20 coadmission and coenrollment programs. In addition, beginning in the
21 fall of 2006, the campus may admit lower division students directly.
22 By simultaneously admitting freshmen and sophomores, increasing
23 transfer enrollment, coadmitting transfer students, and expanding
24 graduate and professional programs, the campus shall develop into a
25 four-year institution serving the southwest Washington region.

26 **Sec. 535.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to
27 read as follows:

28 The (~~higher — education — coordinating — board~~) state board for
29 community and technical colleges and the student achievement council
30 shall adopt performance measures to ensure a collaborative partnership
31 between the community and technical colleges and the branch campuses.
32 The partnership shall be one in which the community and technical
33 colleges prepare students for transfer to the upper-division programs
34 of the branch campuses and the branch campuses work with community and
35 technical colleges to enable students to transfer and obtain degrees
36 efficiently.

1 **Sec. 536.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and
2 2009 c 64 s 3 are each reenacted and amended to read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Adult education" means all education or instruction, including
6 academic, vocational education or training, basic skills and literacy
7 training, and "occupational education" provided by public educational
8 institutions, including common school districts for persons who are
9 eighteen years of age and over or who hold a high school diploma or
10 certificate. However, "adult education" shall not include academic
11 education or instruction for persons under twenty-one years of age who
12 do not hold a high school degree or diploma and who are attending a
13 public high school for the sole purpose of obtaining a high school
14 diploma or certificate, nor shall "adult education" include education
15 or instruction provided by any four-year public institution of higher
16 education.

17 (2) "Applied baccalaureate degree" means a baccalaureate degree
18 awarded by a college under RCW 28B.50.810 for successful completion of
19 a program of study that is:

20 (a) Specifically designed for individuals who hold an associate of
21 applied science degree, or its equivalent, in order to maximize
22 application of their technical course credits toward the baccalaureate
23 degree; and

24 (b) Based on a curriculum that incorporates both theoretical and
25 applied knowledge and skills in a specific technical field.

26 (3) "Board" means the workforce training and education coordinating
27 board.

28 (4) "Board of trustees" means the local community and technical
29 college board of trustees established for each college district within
30 the state.

31 (5) "Center of excellence" means a community or technical college
32 designated by the college board as a statewide leader in
33 industry-specific, community and technical college workforce education
34 and training.

35 (6) "College board" means the state board for community and
36 technical colleges created by this chapter.

37 (7) "Common school board" means a public school district board of
38 directors.

1 (8) "Community college" includes those higher education
2 institutions that conduct education programs under RCW 28B.50.020.

3 (9) "Director" means the administrative director for the state
4 system of community and technical colleges.

5 (10) "Dislocated forest product worker" means a forest products
6 worker who: (a)(i) Has been terminated or received notice of
7 termination from employment and is unlikely to return to employment in
8 the individual's principal occupation or previous industry because of
9 a diminishing demand for his or her skills in that occupation or
10 industry; or (ii) is self-employed and has been displaced from his or
11 her business because of the diminishing demand for the business'
12 services or goods; and (b) at the time of last separation from
13 employment, resided in or was employed in a rural natural resources
14 impact area.

15 (11) "Dislocated salmon fishing worker" means a finfish products
16 worker who: (a)(i) Has been terminated or received notice of
17 termination from employment and is unlikely to return to employment in
18 the individual's principal occupation or previous industry because of
19 a diminishing demand for his or her skills in that occupation or
20 industry; or (ii) is self-employed and has been displaced from his or
21 her business because of the diminishing demand for the business's
22 services or goods; and (b) at the time of last separation from
23 employment, resided in or was employed in a rural natural resources
24 impact area.

25 (12) "District" means any one of the community and technical
26 college districts created by this chapter.

27 (13) "Forest products worker" means a worker in the forest products
28 industries affected by the reduction of forest fiber enhancement,
29 transportation, or production. The workers included within this
30 definition shall be determined by the employment security department,
31 but shall include workers employed in the industries assigned the major
32 group standard industrial classification codes "24" and "26" and the
33 industries involved in the harvesting and management of logs,
34 transportation of logs and wood products, processing of wood products,
35 and the manufacturing and distribution of wood processing and logging
36 equipment. The commissioner may adopt rules further interpreting these
37 definitions. For the purposes of this subsection, "standard industrial
38 classification code" means the code identified in RCW 50.29.025(3).

1 (14) "High employer demand program of study" means an
2 apprenticeship, or an undergraduate or graduate certificate or degree
3 program in which the number of students prepared for employment per
4 year from in-state institutions is substantially less than the number
5 of projected job openings per year in that field, statewide or in a
6 substate region.

7 (15) "K-12 system" means the public school program including
8 kindergarten through the twelfth grade.

9 (16) "Occupational education" means education or training that will
10 prepare a student for employment that does not require a baccalaureate
11 degree, and education and training that will prepare a student for
12 transfer to bachelor's degrees in professional fields, subject to rules
13 adopted by the college board.

14 (17) "Qualified institutions of higher education" means:

15 (a) Washington public community and technical colleges;

16 (b) Private career schools that are members of an accrediting
17 association recognized by rule of the (~~higher education coordinating~~
18 ~~board~~) student achievement council for the purposes of chapter 28B.92
19 RCW; and

20 (c) Washington state apprenticeship and training council-approved
21 apprenticeship programs.

22 (18) "Rural natural resources impact area" means:

23 (a) A nonmetropolitan county, as defined by the 1990 decennial
24 census, that meets three of the five criteria set forth in subsection
25 (19) of this section;

26 (b) A nonmetropolitan county with a population of less than forty
27 thousand in the 1990 decennial census, that meets two of the five
28 criteria as set forth in subsection (19) of this section; or

29 (c) A nonurbanized area, as defined by the 1990 decennial census,
30 that is located in a metropolitan county that meets three of the five
31 criteria set forth in subsection (19) of this section.

32 (19) For the purposes of designating rural natural resources impact
33 areas, the following criteria shall be considered:

34 (a) A lumber and wood products employment location quotient at or
35 above the state average;

36 (b) A commercial salmon fishing employment location quotient at or
37 above the state average;

1 (c) Projected or actual direct lumber and wood products job losses
2 of one hundred positions or more;

3 (d) Projected or actual direct commercial salmon fishing job losses
4 of one hundred positions or more; and

5 (e) An unemployment rate twenty percent or more above the state
6 average. The counties that meet these criteria shall be determined by
7 the employment security department for the most recent year for which
8 data is available. For the purposes of administration of programs
9 under this chapter, the United States post office five-digit zip code
10 delivery areas will be used to determine residence status for
11 eligibility purposes. For the purpose of this definition, a zip code
12 delivery area of which any part is ten miles or more from an urbanized
13 area is considered nonurbanized. A zip code totally surrounded by zip
14 codes qualifying as nonurbanized under this definition is also
15 considered nonurbanized. The office of financial management shall make
16 available a zip code listing of the areas to all agencies and
17 organizations providing services under this chapter.

18 (20) "Salmon fishing worker" means a worker in the finfish industry
19 affected by 1994 or future salmon disasters. The workers included
20 within this definition shall be determined by the employment security
21 department, but shall include workers employed in the industries
22 involved in the commercial and recreational harvesting of finfish
23 including buying and processing finfish. The commissioner may adopt
24 rules further interpreting these definitions.

25 (21) "System" means the state system of community and technical
26 colleges, which shall be a system of higher education.

27 (22) "Technical college" includes those higher education
28 institutions with the mission of conducting occupational education,
29 basic skills, literacy programs, and offering on short notice, when
30 appropriate, programs that meet specific industry needs. For purposes
31 of this chapter, technical colleges shall include Lake Washington
32 Vocational-Technical Institute, Renton Vocational-Technical Institute,
33 Bates Vocational-Technical Institute, Clover Park Vocational Institute,
34 and Bellingham Vocational-Technical Institute.

35 **Sec. 537.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to
36 read as follows:

37 Each board of trustees:

- 1 (1) Shall operate all existing community and technical colleges in
2 its district;
- 3 (2) Shall create comprehensive programs of community and technical
4 college education and training and maintain an open-door policy in
5 accordance with the provisions of RCW 28B.50.090(3);
- 6 (3) Shall employ for a period to be fixed by the board a college
7 president for each community and technical college and, may appoint a
8 president for the district, and fix their duties and compensation,
9 which may include elements other than salary. Compensation under this
10 subsection shall not affect but may supplement retirement, health care,
11 and other benefits that are otherwise applicable to the presidents as
12 state employees. The board shall also employ for a period to be fixed
13 by the board members of the faculty and such other administrative
14 officers and other employees as may be necessary or appropriate and fix
15 their salaries and duties. Compensation and salary increases under
16 this subsection shall not exceed the amount or percentage established
17 for those purposes in the state appropriations act by the legislature
18 as allocated to the board of trustees by the state board for community
19 and technical colleges. The state board for community and technical
20 colleges shall adopt rules defining the permissible elements of
21 compensation under this subsection;
- 22 (4) May establish, (~~under the approval and direction of the~~
23 ~~college board~~) in accordance with RCW 28B.76.230 (as recodified by
24 this act), new facilities as community needs and interests demand.
25 However, the authority of boards of trustees to purchase or lease major
26 off-campus facilities shall be subject to the approval of the (~~higher~~
27 ~~education coordinating board~~) student achievement council pursuant to
28 RCW 28B.76.230 (as recodified by this act);
- 29 (5) May establish or lease, operate, equip and maintain
30 dormitories, food service facilities, bookstores and other self-
31 supporting facilities connected with the operation of the community and
32 technical college;
- 33 (6) May, with the approval of the college board, borrow money and
34 issue and sell revenue bonds or other evidences of indebtedness for the
35 construction, reconstruction, erection, equipping with permanent
36 fixtures, demolition and major alteration of buildings or other capital
37 assets, and the acquisition of sites, rights-of-way, easements,
38 improvements or appurtenances, for dormitories, food service

1 facilities, and other self-supporting facilities connected with the
2 operation of the community and technical college in accordance with the
3 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

4 (7) May establish fees and charges for the facilities authorized
5 hereunder, including reasonable rules and regulations for the
6 government thereof, not inconsistent with the rules of the college
7 board; each board of trustees operating a community and technical
8 college may enter into agreements, subject to rules of the college
9 board, with owners of facilities to be used for housing regarding the
10 management, operation, and government of such facilities, and any board
11 entering into such an agreement may:

12 (a) Make rules for the government, management and operation of such
13 housing facilities deemed necessary or advisable; and

14 (b) Employ necessary employees to govern, manage and operate the
15 same;

16 (8) May receive such gifts, grants, conveyances, devises and
17 bequests of real or personal property from private sources, as may be
18 made from time to time, in trust or otherwise, whenever the terms and
19 conditions thereof will aid in carrying out the community and technical
20 college programs as specified by law and the rules of the state college
21 board; sell, lease or exchange, invest or expend the same or the
22 proceeds, rents, profits and income thereof according to the terms and
23 conditions thereof; and adopt rules to govern the receipt and
24 expenditure of the proceeds, rents, profits and income thereof;

25 (9) May establish and maintain night schools whenever in the
26 discretion of the board of trustees it is deemed advisable, and
27 authorize classrooms and other facilities to be used for summer or
28 night schools, or for public meetings and for any other uses consistent
29 with the use of such classrooms or facilities for community and
30 technical college purposes;

31 (10) May make rules for pedestrian and vehicular traffic on
32 property owned, operated, or maintained by the district;

33 (11) Shall prescribe, with the assistance of the faculty, the
34 course of study in the various departments of the community and
35 technical college or colleges under its control, and publish such
36 catalogues and bulletins as may become necessary;

37 (12) May grant to every student, upon graduation or completion of
38 a course of study, a suitable diploma, degree, or certificate under the

1 rules of the state board for community and technical colleges that are
2 appropriate to their mission. The purposes of these diplomas,
3 certificates, and degrees are to lead individuals directly to
4 employment in a specific occupation or prepare individuals for a
5 bachelor's degree or beyond. Technical colleges may only offer
6 transfer degrees that prepare students for bachelor's degrees in
7 professional fields, subject to rules adopted by the college board. In
8 adopting rules, the college board, where possible, shall create
9 consistency between community and technical colleges and may address
10 issues related to tuition and fee rates; tuition waivers; enrollment
11 counting, including the use of credits instead of clock hours; degree
12 granting authority; or any other rules necessary to offer the associate
13 degrees that prepare students for transfer to bachelor's degrees in
14 professional areas. Only (~~pilet~~) colleges under RCW 28B.50.810 may
15 award baccalaureate degrees. The board, upon recommendation of the
16 faculty, may also confer honorary associate of arts degrees upon
17 persons other than graduates of the community college, in recognition
18 of their learning or devotion to education, literature, art, or
19 science. No degree may be conferred in consideration of the payment of
20 money or the donation of any kind of property;

21 (13) Shall enforce the rules prescribed by the state board for
22 community and technical colleges for the government of community and
23 technical colleges, students and teachers, and adopt such rules and
24 perform all other acts not inconsistent with law or rules of the state
25 board for community and technical colleges as the board of trustees may
26 in its discretion deem necessary or appropriate to the administration
27 of college districts: PROVIDED, That such rules shall include, but not
28 be limited to, rules relating to housing, scholarships, conduct at the
29 various community and technical college facilities, and discipline:
30 PROVIDED, FURTHER, That the board of trustees may suspend or expel from
31 community and technical colleges students who refuse to obey any of the
32 duly adopted rules;

33 (14) May, by written order filed in its office, delegate to the
34 president or district president any of the powers and duties vested in
35 or imposed upon it by this chapter. Such delegated powers and duties
36 may be exercised in the name of the district board;

37 (15) May perform such other activities consistent with this chapter
38 and not in conflict with the directives of the college board;

1 (16) Notwithstanding any other provision of law, may offer
2 educational services on a contractual basis other than the tuition and
3 fee basis set forth in chapter 28B.15 RCW for a special fee to private
4 or governmental entities, consistent with rules adopted by the state
5 board for community and technical colleges: PROVIDED, That the whole
6 of such special fee shall go to the college district and be not less
7 than the full instructional costs of such services including any salary
8 increases authorized by the legislature for community and technical
9 college employees during the term of the agreement: PROVIDED FURTHER,
10 That enrollments generated hereunder shall not be counted toward the
11 official enrollment level of the college district for state funding
12 purposes;

13 (17) Notwithstanding any other provision of law, may offer
14 educational services on a contractual basis, charging tuition and fees
15 as set forth in chapter 28B.15 RCW, counting such enrollments for state
16 funding purposes, and may additionally charge a special supplemental
17 fee when necessary to cover the full instructional costs of such
18 services: PROVIDED, That such contracts shall be subject to review by
19 the state board for community and technical colleges and to such rules
20 as the state board may adopt for that purpose in order to assure that
21 the sum of the supplemental fee and the normal state funding shall not
22 exceed the projected total cost of offering the educational service:
23 PROVIDED FURTHER, That enrollments generated by courses offered on the
24 basis of contracts requiring payment of a share of the normal costs of
25 the course will be discounted to the percentage provided by the
26 college;

27 (18) Shall be authorized to pay dues to any association of trustees
28 that may be formed by the various boards of trustees; such association
29 may expend any or all of such funds to submit biennially, or more often
30 if necessary, to the governor and to the legislature, the
31 recommendations of the association regarding changes which would affect
32 the efficiency of such association;

33 (19) May participate in higher education centers and consortia that
34 involve any four-year public or independent college or university(~~+~~
35 ~~PROVIDED, That new degree programs or off-campus programs offered by a~~
36 ~~four-year public or independent college or university in collaboration~~
37 ~~with a community or technical college are subject to approval by the~~

1 ~~higher-education-coordinating-board-under~~) in accordance with RCW
2 28B.76.230 (as recodified by this act);

3 (20) Shall perform any other duties and responsibilities imposed by
4 law or rule of the state board; and

5 (21) May confer honorary associate of arts degrees upon persons who
6 request an honorary degree if they were students at the college in 1942
7 and did not graduate because they were ordered into an internment camp.
8 The honorary degree may also be requested by a representative of
9 deceased persons who meet these requirements. For the purposes of this
10 subsection, "internment camp" means a relocation center to which
11 persons were ordered evacuated by Presidential Executive Order 9066,
12 signed on February 19, 1942.

13 **Sec. 538.** RCW 28B.50.820 and 2005 c 258 s 12 are each amended to
14 read as follows:

15 (1) One strategy to accomplish expansion of baccalaureate capacity
16 in underserved regions of the state is to allocate state funds for
17 student enrollment to a community and technical college and authorize
18 the college to enter into agreements with a state university, regional
19 university, or state college as defined in RCW 28B.10.016 (~~(or a branch~~
20 ~~campus under chapter 28B.45 RCW)~~), to offer baccalaureate degree
21 programs.

22 (2) Subject to legislative appropriation for the purpose described
23 in this section, the college board shall select and allocate funds to
24 three community or technical colleges for the purpose of entering into
25 an agreement with one or more state universities, regional
26 universities, (~~(branch campuses,~~) or the state college to offer
27 baccalaureate degree programs on the college campus.

28 (3) The college board shall select the community or technical
29 college based on analysis of gaps in service delivery, capacity, and
30 student and employer demand for programs. Before taking effect, the
31 agreement under this section must be approved by the (~~(higher-education~~
32 ~~coordinating board)~~) student achievement council.

33 (4) Students enrolled in programs under this section are considered
34 students of the state university, regional university, branch campus,
35 or state college for all purposes including tuition and reporting of
36 state-funded enrollments.

1 **Sec. 539.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to
2 read as follows:

3 (1) The Washington high-technology coordinating board is hereby
4 created.

5 (2) The board shall be composed of eighteen members as follows:

6 (a) Eleven shall be citizen members appointed by the governor, with
7 the consent of the senate, for four-year terms. In making the
8 appointments the governor shall ensure that a balanced geographic
9 representation of the state is achieved and shall attempt to choose
10 persons experienced in high-technology fields, including at least one
11 representative of labor. Any person appointed to fill a vacancy
12 occurring before a term expires shall be appointed only for the
13 remainder of that term; and

14 (b) Seven of the members shall be as follows: One representative
15 from each of the state's two research universities, one representative
16 of the state college and regional universities, the director for the
17 state system of community and technical colleges or the director's
18 designee, the superintendent of public instruction or the
19 superintendent's designee, (~~a representative of the higher education~~
20 ~~coordinating board~~) the executive director of the student achievement
21 council, or the executive director's designee, and the director of the
22 department of (~~community, trade, and economic development~~) commerce
23 or the director's designee.

24 (3) Members of the board shall not receive any salary for their
25 services, but shall be reimbursed for travel expenses under RCW
26 43.03.050 and 43.03.060 for each day actually spent in attending to
27 duties as a member of the board.

28 (4) A citizen member of the board shall not be, during the term of
29 office, a member of the governing board of any public or private
30 educational institution, or an employee of any state or local agency.

31 **Sec. 540.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
32 read as follows:

33 (1) The board shall oversee, coordinate, and evaluate the high-
34 technology programs.

35 (2) The board shall:

36 (a) Determine the specific high-technology occupational fields in

1 which technical training is needed and advise the institutions of
2 higher education and the (~~higher-education-coordinating-board~~)
3 student achievement council on their findings;

4 (b) Identify economic areas and high-technology industries in need
5 of technical training and research and development critical to economic
6 development and advise the institutions of higher education and the
7 (~~higher-education-coordinating-board~~) student achievement council on
8 their findings;

9 (c) Oversee and coordinate the Washington high-technology education
10 and training program to ensure high standards, efficiency, and
11 effectiveness;

12 (d) Work cooperatively with the superintendent of public
13 instruction to identify the skills prerequisite to the high-technology
14 programs in the institutions of higher education;

15 (~~(e) (Work cooperatively with and provide any information or advice
16 which may be requested by the higher-education-coordinating-board
17 during the board's review of new baccalaureate degree program proposals
18 which are submitted under this chapter. Nothing in this chapter shall
19 be construed as altering or superseding the powers or prerogatives of
20 the higher-education-coordinating-board-over-the-review-of-new-degree
21 programs-as-established-in-section-6(2)-of-this-1985-act;~~

22 (~~(f)~~) Work cooperatively with the department of (~~community, trade,
23 and-economic-development~~) commerce to identify the high-technology
24 education and training needs of existing Washington businesses and
25 businesses with the potential to locate in Washington;

26 (~~(g)~~) (f) Work towards increasing private sector participation
27 and contributions in Washington high-technology programs;

28 (~~(h)~~) (g) Identify and evaluate the effectiveness of state
29 sponsored research related to high technology; and

30 (~~(i)~~) (h) Establish and maintain a plan, including priorities, to
31 guide high-technology program development in public institutions of
32 higher education, which plan shall include an assessment of current
33 high-technology programs, steps to increase existing programs, new
34 initiatives and programs necessary to promote high technology, and
35 methods to coordinate and target high-technology programs to changing
36 market opportunities in business and industry.

37 (3) The board may adopt rules under chapter 34.05 RCW as it deems
38 necessary to carry out the purposes of this chapter.

1 (4) The board shall cease to exist on June 30, 1987, unless
2 extended by law for an additional fixed period of time.

3 **Sec. 541.** RCW 28B.76.250 and 2004 c 55 s 2 are each amended to
4 read as follows:

5 (1) The (~~higher-education-coordinating-board~~) council must
6 convene work groups to develop transfer associate degrees that will
7 satisfy lower division requirements at public four-year institutions of
8 higher education for specific academic majors. Work groups must
9 include representatives from the state board for community and
10 technical colleges and the council of presidents, as well as faculty
11 from two and four-year institutions. Work groups may include
12 representatives from independent four-year institutions.

13 (2) Each transfer associate degree developed under this section
14 must enable a student to complete the lower-division courses or
15 competencies for general education requirements and preparation for the
16 major that a direct-entry student would typically complete in the
17 freshman and sophomore years for that academic major.

18 (3) Completion of a transfer associate degree does not guarantee a
19 student admission into an institution of higher education or admission
20 into a major, minor, or professional program at an institution of
21 higher education that has competitive admission standards for the
22 program based on grade point average or other performance criteria.

23 (4) During the 2004-05 academic year, the work groups must develop
24 transfer degrees for elementary education, engineering, and nursing.
25 (~~Each year thereafter, the higher-education-coordinating-board~~) As
26 necessary based on demand or identified need, the council must convene
27 additional groups to identify and develop additional transfer degrees.
28 The (~~board~~) council must give priority to majors in high demand by
29 transfer students and majors that the general direct transfer agreement
30 associate degree does not adequately prepare students to enter
31 automatically upon transfer.

32 (5) The (~~higher-education-coordinating-board~~) council, in
33 collaboration with the intercollege relations commission, must collect
34 and maintain lists of courses offered by each community and technical
35 college and public four-year institution of higher education that fall
36 within each transfer associate degree.

1 (6) The (~~higher-education-coordinating-board~~) council must
2 monitor implementation of transfer associate degrees by public four-
3 year institutions to ensure compliance with subsection (2) of this
4 section.

5 (7) Beginning January 10, 2005, the (~~higher-education-coordinating~~
6 ~~board~~) council must submit a progress report on the development of
7 transfer associate degrees to the higher education committees of the
8 house of representatives and the senate. The first progress report
9 must include measurable benchmark indicators to monitor the
10 effectiveness of the initiatives in improving transfer and baseline
11 data for those indicators before the implementation of the initiatives.
12 Subsequent reports must be submitted by January 10 of each odd-numbered
13 year and must monitor progress on the indicators, describe development
14 of additional transfer associate degrees, and provide other data on
15 improvements in transfer efficiency.

16 **Sec. 542.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to
17 read as follows:

18 Unless the context clearly requires otherwise, the definitions in
19 this section apply throughout this chapter:

20 (1) (~~"Board"~~) "Council" means the (~~higher-education-coordinating~~
21 ~~board~~) student achievement council.

22 (2) "Degree" means any designation, appellation, letters, or words
23 including but not limited to "associate," "bachelor," "master,"
24 "doctor," or "fellow" which signify or purport to signify satisfactory
25 completion of the requirements of an academic program of study beyond
26 the secondary school level.

27 (3) "Degree-granting institution" means an entity that offers
28 educational credentials, instruction, or services prerequisite to or
29 indicative of an academic or professional degree beyond the secondary
30 level.

31 **Sec. 543.** RCW 28B.85.020 and 2006 c 234 s 3 are each amended to
32 read as follows:

33 (1) The (~~board~~) council:

34 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,
35 minimum standards for degree-granting institutions concerning granting
36 of degrees, quality of education, unfair business practices, financial

1 stability, and other necessary measures to protect citizens of this
2 state against substandard, fraudulent, or deceptive practices. The
3 rules shall require that an institution operating in Washington:

4 (i) Be accredited;

5 (ii) Have applied for accreditation and such application is pending
6 before the accrediting agency;

7 (iii) Have been granted a waiver by the ((~~board~~)) council waiving
8 the requirement of accreditation; or

9 (iv) Have been granted an exemption by the ((~~board~~)) council from
10 the requirements of this subsection (1)(a);

11 (b) May investigate any entity the ((~~board~~)) council reasonably
12 believes to be subject to the jurisdiction of this chapter. In
13 connection with the investigation, the ((~~board~~)) council may administer
14 oaths and affirmations, issue subpoenas and compel attendance, take
15 evidence, and require the production of any books, papers,
16 correspondence, memorandums, or other records which the ((~~board~~))
17 council deems relevant or material to the investigation. The ((~~board~~))
18 council, including its staff and any other authorized persons, may
19 conduct site inspections, the cost of which shall be borne by the
20 institution, and examine records of all institutions subject to this
21 chapter;

22 (c) Shall develop an interagency agreement with the workforce
23 training and education coordinating board to regulate degree-granting
24 private vocational schools with respect to degree and nondegree
25 programs; and

26 (d) Shall develop and disseminate information to the public about
27 entities that sell or award degrees without requiring appropriate
28 academic achievement at the postsecondary level, including but not
29 limited to, a description of the substandard and potentially fraudulent
30 practices of these entities, and advice about how the public can
31 recognize and avoid the entities. To the extent feasible, the
32 information shall include links to additional resources that may assist
33 the public in identifying specific institutions offering substandard or
34 fraudulent degree programs.

35 (2) Financial disclosures provided to the ((~~board~~)) council by
36 degree-granting private vocational schools are not subject to public
37 disclosure under chapter 42.56 RCW.

1 **Sec. 544.** RCW 28B.85.030 and 2003 c 53 s 175 are each amended to
2 read as follows:

3 (1) A degree-granting institution shall not operate and shall not
4 grant or offer to grant any degree unless the institution has obtained
5 current authorization from the ((~~board~~)) council.

6 (2) Any person, group, or entity or any owner, officer, agent, or
7 employee of such entity who willfully violates this section is guilty
8 of a gross misdemeanor and shall be punished by a fine not to exceed
9 one thousand dollars or by imprisonment in the county jail for a term
10 not to exceed one year, or by both such fine and imprisonment. Each
11 day on which a violation occurs constitutes a separate violation. The
12 criminal sanctions may be imposed by a court of competent jurisdiction
13 in an action brought by the attorney general of this state.

14 **Sec. 545.** RCW 28B.85.040 and 2006 c 234 s 4 are each amended to
15 read as follows:

16 (1) An institution or person shall not advertise, offer, sell, or
17 award a degree or any other type of educational credential unless the
18 student has enrolled in and successfully completed a prescribed program
19 of study, as outlined in the institution's publications. This
20 prohibition shall not apply to honorary credentials clearly designated
21 as such on the front side of the diploma or certificate and awarded by
22 institutions offering other educational credentials in compliance with
23 state law.

24 (2) No exemption or waiver granted under this chapter is permanent.
25 The ((~~board~~)) council shall periodically review exempted degree-
26 granting institutions and degree-granting institutions granted a
27 waiver, and continue exemptions or waivers only if an institution meets
28 the statutory or ((~~board~~)) council requirements for exemption or waiver
29 in effect on the date of the review.

30 (3) Except as provided in subsection (1) of this section, this
31 chapter shall not apply to:

32 (a) Any public college, university, community college, technical
33 college, or institute operating as part of the public higher
34 educational system of this state;

35 (b) Institutions that have been accredited by an accrediting
36 association recognized by the ((~~agency~~)) council for the purposes of
37 this chapter: PROVIDED, That those institutions meet minimum exemption

1 standards adopted by the ((agency)) council; and PROVIDED FURTHER, That
2 an institution, branch, extension, or facility operating within the
3 state of Washington which is affiliated with an institution operating
4 in another state must be a separately accredited member institution of
5 any such accrediting association to qualify for this exemption;

6 (c) Institutions of a religious character, but only as to those
7 education programs devoted exclusively to religious or theological
8 objectives if the programs are represented in an accurate manner in
9 institutional catalogs and other official publications;

10 (d) Honorary credentials clearly designated as such on the front
11 side of the diploma or certificate awarded by institutions offering
12 other educational credentials in compliance with state law; or

13 (e) Institutions not otherwise exempt which offer only workshops or
14 seminars and institutions offering only credit-bearing workshops or
15 seminars lasting no longer than three calendar days.

16 **Sec. 546.** RCW 28B.85.050 and 1986 c 136 s 5 are each amended to
17 read as follows:

18 All degree-granting institutions subject to this chapter shall file
19 information with the ((board)) council as the ((board)) council may
20 require.

21 **Sec. 547.** RCW 28B.85.060 and 1986 c 136 s 6 are each amended to
22 read as follows:

23 The ((board)) council shall impose fees on any degree-granting
24 institution authorized to operate under this chapter. Fees shall be
25 set and revised by the ((board)) council by rule at the level necessary
26 to approximately recover the staffing costs incurred in administering
27 this chapter. Fees shall be deposited in the general fund.

28 **Sec. 548.** RCW 28B.85.070 and 1986 c 136 s 7 are each amended to
29 read as follows:

30 (1) The ((board)) council may require any degree-granting
31 institution to have on file with the ((board)) council an approved
32 surety bond or other security in lieu of a bond in an amount determined
33 by the ((board)) council.

34 (2) In lieu of a surety bond, an institution may deposit with the
35 ((board)) council a cash deposit or other negotiable security

1 acceptable to the ((~~board~~)) council. The security deposited with the
2 ((~~board~~)) council in lieu of the surety bond shall be returned to the
3 institution one year after the institution's authorization has expired
4 or been revoked if legal action has not been instituted against the
5 institution or the security deposit at the expiration of the year. The
6 obligations and remedies relating to surety bonds authorized by this
7 section, including but not limited to the settlement of claims
8 procedure in subsection (5) of this section, shall apply to deposits
9 filed with the ((~~board~~)) council, as applicable.

10 (3) Each bond shall:

11 (a) Be executed by the institution as principal and by a corporate
12 surety licensed to do business in the state;

13 (b) Be payable to the state for the benefit and protection of any
14 student or enrollee of an institution, or, in the case of a minor, his
15 or her parents or guardian;

16 (c) Be conditioned on compliance with all provisions of this
17 chapter and the ((~~board's~~)) council's rules adopted under this chapter;

18 (d) Require the surety to give written notice to the ((~~board~~))
19 council at least thirty-five days before cancellation of the bond; and

20 (e) Remain in effect for one year following the effective date of
21 its cancellation or termination as to any obligation occurring on or
22 before the effective date of cancellation or termination.

23 (4) Upon receiving notice of a bond cancellation, the ((~~board~~))
24 council shall notify the institution that the authorization will be
25 suspended on the effective date of the bond cancellation unless the
26 institution files with the ((~~board~~)) council another approved surety
27 bond or other security. The ((~~board~~)) council may suspend or revoke
28 the authorization at an earlier date if it has reason to believe that
29 such action will prevent students from losing their tuition or fees.

30 (5) If a complaint is filed under RCW 28B.85.090(1) against an
31 institution, the ((~~board~~)) council may file a claim against the surety
32 and settle claims against the surety by following the procedure in this
33 subsection.

34 (a) The ((~~board~~)) council shall attempt to notify all potential
35 claimants. If the absence of records or other circumstances makes it
36 impossible or unreasonable for the ((~~board~~)) council to ascertain the
37 names and addresses of all the claimants, the ((~~board~~)) council after
38 exerting due diligence and making reasonable inquiry to secure that

1 information from all reasonable and available sources, may make a
2 demand on a bond on the basis of information in the ((~~board's~~))
3 council's possession. The ((~~board~~)) council is not liable or
4 responsible for claims or the handling of claims that may subsequently
5 appear or be discovered.

6 (b) Thirty days after notification, if a claimant fails, refuses,
7 or neglects to file with the ((~~board~~)) council a verified claim, the
8 ((~~board~~)) council shall be relieved of further duty or action under
9 this chapter on behalf of the claimant.

10 (c) After reviewing the claims, the ((~~board~~)) council may make
11 demands upon the bond on behalf of those claimants whose claims have
12 been filed. The ((~~board~~)) council may settle or compromise the claims
13 with the surety and may execute and deliver a release and discharge of
14 the bond.

15 (d) If the surety refuses to pay the demand, the ((~~board~~)) council
16 may bring an action on the bond in behalf of the claimants. If an
17 action is commenced on the bond, the ((~~board~~)) council may require a
18 new bond to be filed.

19 (e) Within ten days after a recovery on a bond or other posted
20 security has occurred, the institution shall file a new bond or
21 otherwise restore its security on file to the required amount.

22 (6) The liability of the surety shall not exceed the amount of the
23 bond.

24 **Sec. 549.** RCW 28B.85.080 and 1986 c 136 s 8 are each amended to
25 read as follows:

26 The ((~~board~~)) council may suspend or modify any of the requirements
27 under this chapter in a particular case if the ((~~board~~)) council finds
28 that:

29 (1) The suspension or modification is consistent with the purposes
30 of this chapter; and

31 (2) The education to be offered addresses a substantial,
32 demonstrated need among residents of the state or that literal
33 application of this chapter would cause a manifestly unreasonable
34 hardship.

35 **Sec. 550.** RCW 28B.85.090 and 1989 c 175 s 82 are each amended to
36 read as follows:

1 (1) A person claiming loss of tuition or fees as a result of an
2 unfair business practice may file a complaint with the ((~~board~~))
3 council. The complaint shall set forth the alleged violation and shall
4 contain information required by the ((~~board~~)) council. A complaint may
5 also be filed with the ((~~board~~)) council by an authorized staff member
6 of the ((~~board~~)) council or by the attorney general.

7 (2) The ((~~board~~)) council shall investigate any complaint under
8 this section and may attempt to bring about a settlement. The
9 ((~~board~~)) council may hold a hearing pursuant to the Administrative
10 Procedure Act, chapter 34.05 RCW, in order to determine whether a
11 violation has occurred. If the ((~~board~~)) council prevails, the degree-
12 granting institution shall pay the costs of the administrative hearing.

13 (3) If, after the hearing, the ((~~board~~)) council finds that the
14 institution or its agent engaged in or is engaging in any unfair
15 business practice, the ((~~board~~)) council shall issue and cause to be
16 served upon the violator an order requiring the violator to cease and
17 desist from the act or practice and may impose the penalties under RCW
18 28B.85.100. If the ((~~board~~)) council finds that the complainant has
19 suffered loss as a result of the act or practice, the ((~~board~~)) council
20 may order full or partial restitution for the loss. The complainant is
21 not bound by the ((~~board's~~)) council's determination of restitution and
22 may pursue any other legal remedy.

23 **Sec. 551.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to
24 read as follows:

25 Any person, group, or entity or any owner, officer, agent, or
26 employee of such entity who ((~~wilfully~~)) willfully violates any
27 provision of this chapter or the rules adopted under this chapter shall
28 be subject to a civil penalty of not more than one hundred dollars for
29 each violation. Each day on which a violation occurs constitutes a
30 separate violation. The fine may be imposed by the ((~~higher education~~
31 ~~coordinating board~~)) council or by any court of competent jurisdiction.

32 **Sec. 552.** RCW 28B.85.130 and 1986 c 136 s 13 are each amended to
33 read as follows:

34 If any degree-granting institution discontinues its operation, the
35 chief administrative officer of the institution shall file with the
36 ((~~board~~)) council the original or legible true copies of all

1 educational records required by the ((~~board~~)) council. If the
2 ((~~board~~)) council determines that any educational records are in danger
3 of being made unavailable to the ((~~board~~)) council, the ((~~board~~))
4 council may seek a court order to protect and if necessary take
5 possession of the records. The ((~~board~~)) council shall cause to be
6 maintained a permanent file of educational records coming into its
7 possession.

8 **Sec. 553.** RCW 28B.85.170 and 1986 c 136 s 17 are each amended to
9 read as follows:

10 The ((~~board~~)) council may seek injunctive relief, after giving
11 notice to the affected party, in a court of competent jurisdiction for
12 a violation of this chapter or the rules adopted under this chapter.
13 The ((~~board~~)) council need not allege or prove that the ((~~board~~))
14 council has no adequate remedy at law. The right of injunction
15 provided in this section is in addition to any other legal remedy which
16 the ((~~board~~)) council has and is in addition to any right of criminal
17 prosecution provided by law. The existence of ((~~board~~)) council action
18 with respect to alleged violations of this chapter and rules adopted
19 under this chapter does not operate as a bar to an action for
20 injunctive relief under this section.

21 **Sec. 554.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to
22 read as follows:

23 Unless the context clearly requires otherwise, the definitions in
24 this section apply throughout this chapter.

25 (1) "Degree" means any designation, appellation, certificate,
26 letters or words including, but not limited to, "associate,"
27 "bachelor," "masters," "doctorate," or "fellow" that signifies, or
28 purports to signify, satisfactory and successful completion of
29 requirements of a postsecondary academic program of study.

30 (2) "Foreign degree-granting institution" means a public or private
31 college or university, either profit or nonprofit:

32 (a) That is domiciled in a foreign country;

33 (b) That offers in its country of domicile credentials,
34 instruction, or services prerequisite to the obtaining of an academic
35 or professional degree granted by such college or university; and

1 (c) That is authorized under the laws or regulations of its country
2 of domicile to operate a degree-granting institution in that country.

3 (3) "Approved branch campus" means a foreign degree-granting
4 institution's branch campus that has been approved by the (~~higher~~
5 ~~education coordinating board~~) student achievement council to operate
6 in the state.

7 (4) "Branch campus" means an educational facility located in the
8 state that:

9 (a) Is either owned and operated directly by a foreign degree-
10 granting institution or indirectly through a Washington profit or
11 nonprofit corporation in which the foreign degree-granting institution
12 is the sole or controlling shareholder or member; and

13 (b) Provides courses solely and exclusively to students enrolled in
14 a degree-granting program offered by the foreign degree-granting
15 institution who:

16 (i) Have received academic credit for courses of study completed at
17 the foreign degree-granting institution in its country of domicile;

18 (ii) Will receive academic credit towards their degree from the
19 foreign degree-granting institution for the courses of study completed
20 at the educational facility in the state; and

21 (iii) Will return to the foreign degree-granting institution in its
22 country of domicile for completion of their degree-granting program or
23 receipt of their degree.

24 (5) (~~"Board"~~) "Council" means the (~~higher education coordinating~~
25 ~~board~~) student achievement council.

26 **Sec. 555.** RCW 28B.90.020 and 1999 c 85 s 1 are each amended to
27 read as follows:

28 A foreign degree-granting institution that submits evidence
29 satisfactory to the (~~board~~) council of its authorized status in its
30 country of domicile and its intent to establish an educational facility
31 in the state is entitled to operate a branch campus as defined in RCW
32 28B.90.010. Upon receipt of the satisfactory evidence, the (~~board~~)
33 council may certify that the branch campus of the foreign degree-
34 granting institution is approved to operate in the state under this
35 chapter, for as long as the foreign degree-granting institution retains
36 its authorized status in its country of domicile.

1 **Sec. 556.** RCW 28B.90.030 and 1993 c 181 s 4 are each amended to
2 read as follows:

3 A branch campus of a foreign degree-granting institution previously
4 found by the (~~board~~) council to be exempt from chapter 28B.85 RCW may
5 continue to operate in the state. However, within one year of July 25,
6 1993, the institution shall provide evidence of authorization as
7 required under RCW 28B.90.020. Upon receipt of the satisfactory
8 evidence, the (~~board~~) council shall certify that the branch campus of
9 the foreign degree-granting institution is approved to operate in the
10 state under this chapter.

11 **Sec. 557.** RCW 28B.92.030 and 2011 1st sp.s. c 11 s 159 are each
12 amended to read as follows:

13 As used in this chapter:

14 (1) "Council" means the student achievement council.

15 (2) "Disadvantaged student" means a posthigh school student who by
16 reason of adverse cultural, educational, environmental, experiential,
17 familial or other circumstances is unable to qualify for enrollment as
18 a full-time student in an institution of higher education, who would
19 otherwise qualify as a needy student, and who is attending an
20 institution of higher education under an established program designed
21 to qualify the student for enrollment as a full-time student.

22 (~~(2)~~) (3) "Financial aid" means loans and/or grants to needy
23 students enrolled or accepted for enrollment as a student at
24 institutions of higher education.

25 (~~(3)~~) (4) "Institution" or "institutions of higher education"
26 means:

27 (a) Any public university, college, community college, or technical
28 college operated by the state of Washington or any political
29 subdivision thereof; or

30 (b) Any other university, college, school, or institute in the
31 state of Washington offering instruction beyond the high school level
32 which is a member institution of an accrediting association recognized
33 by rule of the (~~board~~) council for the purposes of this section:
34 PROVIDED, That any institution, branch, extension or facility operating
35 within the state of Washington which is affiliated with an institution
36 operating in another state must be a separately accredited member
37 institution of any such accrediting association, or a branch of a

1 member institution of an accrediting association recognized by rule of
2 the (~~board~~) council for purposes of this section, that is eligible
3 for federal student financial aid assistance and has operated as a
4 nonprofit college or university delivering on-site classroom
5 instruction for a minimum of twenty consecutive years within the state
6 of Washington, and has an annual enrollment of at least seven hundred
7 full-time equivalent students: PROVIDED FURTHER, That no institution
8 of higher education shall be eligible to participate in a student
9 financial aid program unless it agrees to and complies with program
10 rules and regulations adopted pursuant to RCW 28B.92.150.

11 (~~(4)~~) (5) "Needy student" means a posthigh school student of an
12 institution of higher education who demonstrates to the (~~board~~)
13 office the financial inability, either through the student's parents,
14 family and/or personally, to meet the total cost of board, room, books,
15 and tuition and incidental fees for any semester or quarter. "Needy
16 student" also means an opportunity internship graduate as defined by
17 RCW 28C.18.162 who enrolls in a postsecondary program of study as
18 defined in RCW 28C.18.162 within one year of high school graduation.

19 (~~(5)~~) (6) "Office" means the office of student financial
20 assistance.

21 (~~(6)~~) (7) "Placebound student" means a student who (a) is unable
22 to complete a college program because of family or employment
23 commitments, health concerns, monetary inability, or other similar
24 factors; and (b) may be influenced by the receipt of an enhanced
25 student financial aid award to complete a baccalaureate degree at an
26 eligible institution.

27 **Sec. 558.** RCW 28B.92.060 and 2011 1st sp.s. c 11 s 162 and 2011
28 1st sp.s. c 10 s 9 are each reenacted and amended to read as follows:

29 In awarding need grants, the office shall proceed substantially as
30 follows: PROVIDED, That nothing contained herein shall be construed to
31 prevent the office, in the exercise of its sound discretion, from
32 following another procedure when the best interest of the program so
33 dictates:

34 (1) The office shall annually select the financial aid award
35 recipients from among Washington residents applying for student
36 financial aid who have been ranked according to:

1 (a) Financial need as determined by the amount of the family
2 contribution; and

3 (b) Other considerations, such as whether the student is a former
4 foster youth, or is a placebound student who has completed an associate
5 of arts or associate of science degree or its equivalent.

6 (2) The financial need of the highest ranked students shall be met
7 by grants depending upon the evaluation of financial need until the
8 total allocation has been disbursed. Funds from grants which are
9 declined, forfeited or otherwise unused shall be reawarded until
10 disbursed, except that eligible former foster youth shall be assured
11 receipt of a grant. The (~~board~~) office, in consultation with four-
12 year institutions of higher education, the council, and the state board
13 for community and technical colleges, shall develop award criteria and
14 methods of disbursement based on level of need, and not solely rely on
15 a first-come, first-served basis.

16 (3) A student shall be eligible to receive a state need grant for
17 up to five years, or the credit or clock hour equivalent of five years,
18 or up to one hundred twenty-five percent of the published length of
19 time of the student's program. A student may not start a new associate
20 degree program as a state need grant recipient until at least five
21 years have elapsed since earning an associate degree as a need grant
22 recipient, except that a student may earn two associate degrees
23 concurrently. Qualifications for renewal will include maintaining
24 satisfactory academic progress toward completion of an eligible program
25 as determined by the office. Should the recipient terminate his or her
26 enrollment for any reason during the academic year, the unused portion
27 of the grant shall be returned to the state educational grant fund by
28 the institution according to the institution's own policy for issuing
29 refunds, except as provided in RCW 28B.92.070.

30 (4) In computing financial need, the office shall determine a
31 maximum student expense budget allowance, not to exceed an amount equal
32 to the total maximum student expense budget at the public institutions
33 plus the current average state appropriation per student for operating
34 expense in the public institutions. Any child support payments
35 received by students who are parents attending less than half-time
36 shall not be used in computing financial need.

37 (5)(a) A student who is enrolled in three to six credit-bearing

1 quarter credits, or the equivalent semester credits, may receive a
2 grant for up to one academic year before beginning a program that leads
3 to a degree or certificate.

4 (b) An eligible student enrolled on a less-than-full-time basis
5 shall receive a prorated portion of his or her state need grant for any
6 academic period in which he or she is enrolled on a less-than-full-time
7 basis, as long as funds are available.

8 (c) An institution of higher education may award a state need grant
9 to an eligible student enrolled in three to six credit-bearing quarter
10 credits, or the semester equivalent, on a provisional basis if:

11 (i) The student has not previously received a state need grant from
12 that institution;

13 (ii) The student completes the required free application for
14 federal student aid;

15 (iii) The institution has reviewed the student's financial
16 condition, and the financial condition of the student's family if the
17 student is a dependent student, and has determined that the student is
18 likely eligible for a state need grant; and

19 (iv) The student has signed a document attesting to the fact that
20 the financial information provided on the free application for federal
21 student aid and any additional financial information provided directly
22 to the institution is accurate and complete, and that the student
23 agrees to repay the institution for the grant amount if the student
24 submitted false or incomplete information.

25 (6) As used in this section, "former foster youth" means a person
26 who is at least eighteen years of age, but not more than twenty-four
27 years of age, who was a dependent of the department of social and
28 health services at the time he or she attained the age of eighteen.

29 **Sec. 559.** RCW 28B.92.070 and 2004 c 275 s 38 are each amended to
30 read as follows:

31 Under rules adopted by the (~~board~~) council, the provisions of RCW
32 28B.92.060(3) shall not apply to eligible students, as defined in RCW
33 28B.10.017, and eligible students shall not be required to repay the
34 unused portions of grants received under the state student financial
35 aid program.

1 **Sec. 560.** RCW 28B.92.082 and 2009 c 215 s 3 are each amended to
2 read as follows:

3 (1) To the extent funds are appropriated for this purpose and
4 within overall appropriations for the state need grant, enhanced need
5 grants are provided for persons who meet all of the following criteria:

6 (a) Are needy students as defined in RCW 28B.92.030;

7 (b) Are placebound students as defined in RCW 28B.92.030; and

8 (c) Have completed the associate of arts or the associate of
9 science degree, or its equivalent.

10 (2) The enhanced need grants established in this section are
11 provided to this specific group of students in addition to the base
12 state need grant, as defined by rule of the ((~~board~~)) council.

13 **Sec. 561.** RCW 28B.97.020 and 2011 1st sp.s. c 11 s 175 are each
14 amended to read as follows:

15 The definitions in this section apply throughout this chapter
16 unless the context clearly requires otherwise.

17 (1) "Institution of higher education" means a college or university
18 in the state of Washington that is accredited by an accrediting
19 association recognized as such by rule of the ((~~board~~)) student
20 achievement council.

21 (2) "Office" means the office of student financial assistance.

22 (3) "Program" means the Washington higher education loan program.

23 (4) "Resident student" has the definition in RCW 28B.15.012(2) (a)
24 through (d).

25 **Sec. 562.** RCW 28B.102.020 and 2011 1st sp.s. c 11 s 176 are each
26 reenacted and amended to read as follows:

27 Unless the context clearly requires otherwise, the definitions in
28 this section apply throughout this chapter.

29 (1) "Approved education program" means an education program in the
30 state of Washington for knowledge and skills generally learned in
31 preschool through twelfth grade. Approved education programs may
32 include but are not limited to:

33 (a) K-12 schools under Title 28A RCW; or

34 (b) Other K-12 educational sites in the state of Washington as
35 designated by the ((~~board~~)) student achievement council.

1 (2) "Conditional scholarship" means a loan that is forgiven in
2 whole or in part if the recipient renders service as a teacher in an
3 approved education program in this state.

4 (3) "Eligible student" means a student who is registered for at
5 least six credit hours or the equivalent, demonstrates high academic
6 achievement, is a resident student as defined by RCW 28B.15.012 and
7 28B.15.013, and has a declared intention to complete an approved
8 preparation program leading to initial teacher certification or
9 required for earning an additional endorsement, and commits to teaching
10 service in the state of Washington.

11 (4) "Equalization fee" means the additional amount added to the
12 principal of a loan under this chapter to equate the debt to that which
13 the student would have incurred if the loan had been received through
14 the federal subsidized Stafford student loan program.

15 (5) "Forgiven" or "to forgive" or "forgiveness" means to render
16 service as a teacher in an approved education program in the state of
17 Washington in lieu of monetary repayment.

18 (6) "Institution of higher education" or "institution" means a
19 college or university in the state of Washington that is accredited by
20 an accrediting association recognized as such by rule of the student
21 achievement council (~~(for higher education)~~).

22 (7) "Loan repayment" means a federal student loan that is repaid in
23 whole or in part if the recipient renders service as a teacher in an
24 approved education program in Washington state.

25 (8) "Office" means the office of student financial assistance.

26 (9) "Participant" means an eligible student who has received a
27 conditional scholarship or loan repayment under this chapter.

28 (10) "Public school" means an elementary school, a middle school,
29 junior high school, or high school within the public school system
30 referred to in Article IX of the state Constitution.

31 (11) "Satisfied" means paid-in-full.

32 (12) "Teacher shortage area" means a shortage of elementary or
33 secondary school teachers in a specific subject area, discipline,
34 classification, or geographic area as defined by the office of the
35 superintendent of public instruction.

36 **Sec. 563.** RCW 28B.102.030 and 2011 1st sp.s. c 11 s 177 are each
37 amended to read as follows:

1 The future teachers conditional scholarship and loan repayment
2 program is established. The program shall be administered by the
3 ((office)) student achievement council. In administering the program,
4 the ((board)) council shall have the following powers and duties:

5 (1) Select students to receive conditional scholarships or loan
6 repayments;

7 (2) Adopt necessary rules and guidelines;

8 (3) Publicize the program;

9 (4) Collect and manage repayments from students who do not meet
10 their teaching obligations under this chapter; and

11 (5) Solicit and accept grants and donations from public and private
12 sources for the program.

13 **Sec. 564.** RCW 28B.108.040 and 1990 c 287 s 5 are each amended to
14 read as follows:

15 The ((board)) office may award scholarships to eligible students
16 from moneys earned from the endowment fund created in RCW 28B.108.060,
17 or from funds appropriated to the ((board)) council for this purpose,
18 or from any private donations, or from any other funds given to the
19 ((board)) council for this program. For an undergraduate student, the
20 amount of the scholarship shall not exceed the student's demonstrated
21 financial need. For a graduate student, the amount of the scholarship
22 shall not exceed the student's demonstrated need; or the stipend of a
23 teaching assistant, including tuition, at the University of Washington;
24 whichever is higher. In calculating a student's need, the ((board))
25 office shall consider the student's costs for tuition, fees, books,
26 supplies, transportation, room, board, personal expenses, and child
27 care. The student's scholarship awarded under this chapter shall not
28 exceed the amount received by a student attending a state research
29 university. A student is eligible to receive a scholarship for a
30 maximum of five years. However, the length of the scholarship shall be
31 determined at the discretion of the ((board)) office.

32 **Sec. 565.** RCW 28B.109.010 and 2011 1st sp.s. c 11 s 195 are each
33 amended to read as follows:

34 Unless the context clearly requires otherwise, the definitions in
35 this section apply throughout this chapter.

1 (1) "Eligible participant" means an international student whose
2 country of residence has a trade relationship with the state of
3 Washington.

4 (2) "Institution of higher education" or "institution" means a
5 college or university in the state of Washington that is accredited by
6 an accrediting association recognized as such by rule of the ((~~board~~))
7 student achievement council.

8 (3) "Office" means the office of student financial assistance.

9 (4) "Service obligation" means volunteering for a minimum number of
10 hours as established by the ((~~board~~)) student achievement council based
11 on the amount of scholarship award, to speak to or teach groups of
12 Washington citizens, including but not limited to elementary, middle,
13 and high schools, service clubs, and universities.

14 (5) "Washington international exchange scholarship program" means
15 a scholarship award for a period not to exceed one academic year to
16 attend a Washington institution of higher education made to an
17 international student whose country has an established trade
18 relationship with Washington.

19 **Sec. 566.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to
20 read as follows:

21 In consultation with institutions of higher education, the ((~~higher~~
22 ~~education—coordinating—board~~)) student achievement council shall
23 develop rules and guidelines to eliminate possible gender
24 discrimination to students, including sexual harassment, at
25 institutions of higher education as defined in RCW 28B.10.016. The
26 rules and guidelines shall include but not be limited to access to
27 academic programs, student employment, counseling and guidance
28 services, financial aid, recreational activities including club sports,
29 and intercollegiate athletics.

30 (1) With respect to higher education student employment, all
31 institutions shall be required to:

32 (a) Make no differentiation in pay scales on the basis of gender;

33 (b) Assign duties without regard to gender except where there is a
34 bona fide occupational qualification as approved by the Washington
35 human rights commission;

36 (c) Provide the same opportunities for advancement to males and
37 females; and

1 (d) Make no difference in the conditions of employment on the basis
2 of gender in areas including, but not limited to, hiring practices,
3 leaves of absence, and hours of employment.

4 (2) With respect to admission standards, admissions to academic
5 programs shall be made without regard to gender.

6 (3) Counseling and guidance services for students shall be made
7 available to all students without regard to gender. All academic and
8 counseling personnel shall be required to stress access to all career
9 and vocational opportunities to students without regard to gender.

10 (4) All academic programs shall be available to students without
11 regard to gender.

12 (5) With respect to recreational activities, recreational
13 activities shall be offered to meet the interests of students.
14 Institutions which provide the following shall do so with no
15 disparities based on gender: Equipment and supplies; medical care;
16 services and insurance; transportation and per diem allowances;
17 opportunities to receive coaching and instruction; laundry services;
18 assignment of game officials; opportunities for competition, publicity,
19 and awards; and scheduling of games and practice times, including use
20 of courts, gyms, and pools. Each institution which provides showers,
21 toilets, lockers, or training room facilities for recreational purposes
22 shall provide comparable facilities for both males and females.

23 (6) With respect to financial aid, financial aid shall be equitably
24 awarded by type of aid, with no disparities based on gender.

25 (7) With respect to intercollegiate athletics, institutions that
26 provide the following shall do so with no disparities based on gender:

27 (a) Benefits and services including, but not limited to, equipment
28 and supplies; medical services; services and insurance; transportation
29 and per diem allowances; opportunities to receive coaching and
30 instruction; scholarships and other forms of financial aid;
31 conditioning programs; laundry services; assignment of game officials;
32 opportunities for competition, publicity, and awards; and scheduling of
33 games and practice times, including use of courts, gyms, and pools.
34 Each institution which provides showers, toilets, lockers, or training
35 room facilities for athletic purposes shall provide comparable
36 facilities for both males and females.

37 (b) Opportunities to participate in intercollegiate athletics.

1 Institutions shall provide equitable opportunities to male and female
2 students.

3 (c) Male and female coaches and administrators. Institutions shall
4 attempt to provide some coaches and administrators of each gender to
5 act as role models for male and female athletes.

6 (8) Each institution shall develop and distribute policies and
7 procedures for handling complaints of sexual harassment.

8 **Sec. 567.** RCW 28B.110.040 and 2011 1st sp.s. c 11 s 203 are each
9 amended to read as follows:

10 The executive director of the (~~higher-education-coordinating~~
11 ~~board~~) student achievement council, in consultation with the council
12 of presidents and the state board for community and technical colleges,
13 shall monitor the compliance by institutions of higher education with
14 this chapter.

15 (1) The (~~board~~) council shall establish a timetable and
16 guidelines for compliance with this chapter.

17 (2) By November 30, 1990, each institution shall submit to the
18 (~~board~~) council for approval a plan to comply with the requirements
19 of RCW 28B.110.030. The plan shall contain measures to ensure
20 institutional compliance with the provisions of this chapter by
21 September 30, 1994. If participation in activities, such as
22 intercollegiate athletics and matriculation in academic programs is not
23 proportionate to the percentages of male and female enrollment, the
24 plan should outline efforts to identify barriers to equal participation
25 and to encourage gender equity in all aspects of college and university
26 life.

27 (3) The (~~board~~) council may delegate to the state board for
28 community and technical colleges any or all responsibility for
29 community college compliance with the provisions of this chapter.

30 **Sec. 568.** RCW 28B.116.010 and 2011 1st sp.s. c 11 s 214 are each
31 reenacted and amended to read as follows:

32 Unless the context clearly requires otherwise, the definitions in
33 this section apply throughout this chapter.

34 (1) "Cost of attendance" means the cost associated with the
35 attendance of the institution of higher education as determined by the

1 office of student financial assistance, including but not limited to
2 tuition, room, board, and books.

3 (2) "Eligible student" means a student who:

4 (a) Is between the ages of sixteen and twenty-three;

5 (b) Has been in foster care in the state of Washington for a
6 minimum of six months since his or her fourteenth birthday;

7 (c) Is a financially needy student, as defined in RCW 28B.92.030;

8 (d) Is a resident student, as defined in RCW 28B.15.012(2);

9 (e) Has entered or will enter an institution of higher education in
10 Washington state within three years of high school graduation or having
11 successfully completed his or her GED;

12 (f) Is not pursuing a degree in theology; and

13 (g) Makes satisfactory progress towards the completion of a degree
14 or certificate program.

15 (3) "Institution of higher education" means a college or university
16 in the state of Washington that is accredited by an accrediting
17 association recognized as such by rule of the (~~higher-education~~
18 ~~coordinating board~~) student achievement council.

19 (4) "Office" means the office of student financial assistance.

20 **Sec. 569.** RCW 28B.116.030 and 2011 1st sp.s. c 11 s 216 are each
21 amended to read as follows:

22 (1) The office may award scholarships to eligible students from the
23 foster care scholarship endowment fund in RCW 28B.116.060, from funds
24 appropriated to the (~~board~~) student achievement council for this
25 purpose, from any private donations, or from any other funds given to
26 the office for the program.

27 (2) The office may award scholarships to eligible students from
28 moneys earned from the foster care scholarship endowment fund created
29 in RCW 28B.116.060, or from funds appropriated to the (~~board~~) council
30 for this purpose, or from any private donations, or from any other
31 funds given to the office for this program. For an undergraduate
32 student, the amount of the scholarship shall not exceed the student's
33 demonstrated financial need. For a graduate student, the amount of the
34 scholarship shall not exceed the student's demonstrated need; or the
35 stipend of a teaching assistant, including tuition, at the University
36 of Washington; whichever is higher. In calculating a student's need,
37 the office shall consider the student's costs for tuition, fees, books,

1 supplies, transportation, room, board, personal expenses, and child
2 care. The student's scholarship awarded under this chapter shall not
3 exceed the amount received by a student attending a state research
4 university. A student is eligible to receive a scholarship for a
5 maximum of five years. However, the length of the scholarship shall be
6 determined at the discretion of the office.

7 (3) Grants under this chapter shall not affect eligibility for the
8 state student financial aid program.

9 *Sec. 570. RCW 28B.117.020 and 2011 1st sp.s. c 11 s 220 are each
10 amended to read as follows:

11 The definitions in this section apply throughout this chapter
12 unless the context clearly requires otherwise.

13 (1) "Cost of attendance" means the cost associated with attending
14 a particular institution of higher education as determined by the
15 office, including but not limited to tuition, fees, room, board, books,
16 personal expenses, and transportation, plus the cost of reasonable
17 additional expenses incurred by an eligible student and approved by a
18 financial aid administrator at the student's school of attendance.

19 (2) "Emancipated from foster care" means a person who was a
20 dependent of the state in accordance with chapter 13.34 RCW and who was
21 receiving foster care in the state of Washington when he or she reached
22 his or her eighteenth birthday.

23 (3) "Financial need" means the difference between a student's cost
24 of attendance and the student's total family contribution as determined
25 by the method prescribed by the United States department of education.

26 (4) "Independent college or university" means a private, nonprofit
27 institution of higher education, open to residents of the state,
28 providing programs of education beyond the high school level leading to
29 at least the baccalaureate degree, and accredited by the Northwest
30 association of schools and colleges, and other institutions as may be
31 developed that are approved by the ((board)) council as meeting
32 equivalent standards as those institutions accredited under this
33 section.

34 (5) "Institution of higher education" means:

35 (a) Any public university, college, community college, or technical
36 college operated by the state of Washington or any political
37 subdivision thereof; or

1 (b) Any independent college or university in Washington; or
2 (c) Any other university, college, school, or institute in the
3 state of Washington offering instruction beyond the high school level
4 that is a member institution of an accrediting association recognized
5 by rule of the (~~higher-education-coordinating-board~~) student
6 achievement council for the purposes of this section: PROVIDED, That
7 any institution, branch, extension, or facility operating within the
8 state of Washington that is affiliated with an institution operating in
9 another state must be a separately accredited member institution of any
10 such accrediting association, or a branch of a member institution of an
11 accrediting association recognized by rule of the (~~board~~) council for
12 purposes of this section, that is eligible for federal student
13 financial aid assistance and has operated as a nonprofit college or
14 university delivering on-site classroom instruction for a minimum of
15 twenty consecutive years within the state of Washington, and has an
16 annual enrollment of at least seven hundred full-time equivalent
17 students.

18 (6) "Office" means the office of student financial assistance.

19 (7) "Program" means the passport to college promise pilot program
20 created in this chapter.

**Sec. 570 was vetoed. See message at end of chapter.*

21 **Sec. 571.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to
22 read as follows:

23 The Washington fund for innovation and quality in higher education
24 program is established. The (~~higher-education-coordinating-board~~)
25 student achievement council shall administer the program and shall work
26 in close collaboration with the state board for community and technical
27 colleges and other local and regional entities. Through this program
28 the (~~higher-education-coordinating-board~~) student achievement council
29 may award on a competitive basis incentive grants to state public or
30 private nonprofit institutions of higher education or consortia of
31 institutions to encourage programs designed to address specific system
32 problems. Each institution or consortia of institutions receiving the
33 award shall contribute some financial support, either by covering part
34 of the costs for the program during its implementation, or by assuming
35 continuing support at the end of the grant period. Strong priority
36 will be given to proposals that involve more than one sector of

1 education. Institutions are encouraged to solicit nonstate funds to
2 support these cooperative programs.

3 **Sec. 572.** RCW 28B.120.020 and 2011 1st sp.s. c 11 s 235 are each
4 amended to read as follows:

5 The (~~higher-education-coordinating-board~~) student achievement
6 council shall have the following powers and duties in administering the
7 program for those proposals in which a four-year institution of higher
8 education is named as the lead institution and fiscal agent:

9 (1) To adopt rules necessary to carry out the program;

10 (2) To award grants no later than September 1st in those years when
11 funding is available by June 30th;

12 (3) To establish each biennium specific guidelines for submitting
13 grant proposals consistent with RCW 28B.120.005 and consistent with the
14 (~~strategic-master~~) ten-year plan for higher education, the system
15 design plan, the overall goals of the program and the guidelines
16 established by the state board for community and technical colleges
17 under RCW 28B.120.025.

18 After June 30, 2001, and each biennium thereafter, the (~~board~~)
19 council shall determine funding priorities for proposals for the
20 biennium in consultation with the legislature, the office of the
21 superintendent of public instruction, the state board for community and
22 technical colleges, the workforce training and education coordinating
23 board, higher education institutions, educational associations, and
24 business and community groups consistent with statewide needs;

25 (4) To solicit grant proposals and provide information to the
26 institutions of higher education about the program; and

27 (5) To establish reporting, evaluation, accountability, monitoring,
28 and dissemination requirements for the recipients of the grants awarded
29 by the office of financial management.

30 **Sec. 573.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to
31 read as follows:

32 The state board for community and technical colleges has the
33 following powers and duties in administering the program for those
34 proposals in which a community or technical college is named as the
35 lead institution and fiscal agent:

36 (1) To adopt rules necessary to carry out the program;

1 (2) To establish one or more review committees to assist in the
2 evaluation of proposals for funding. The review committee shall
3 include individuals with significant experience in higher education in
4 areas relevant to one or more of the funding period priorities and
5 shall include representatives from both the four-year and two-year
6 sectors of higher education;

7 (3) To award grants no later than September 1st in those years when
8 funding is available by June 30th;

9 (4) To establish each biennium specific guidelines for submitting
10 grant proposals consistent with the overall goals of the program and
11 consistent with the guidelines established by the (~~higher education~~
12 ~~coordinating board~~) student achievement council under RCW 28B.120.020.
13 During the 1999-01 biennium the guidelines shall be consistent with the
14 following desired outcomes of:

15 (a) Minority and diversity initiatives that encourage the
16 participation of minorities in higher education, including students
17 with disabilities;

18 (b) K-12 teacher preparation models that encourage collaboration
19 between higher education and K-12 to improve the preparedness of
20 teachers, including provisions for higher education faculty involved
21 with teacher preparation to spend time teaching in K-12 schools;

22 (c) Collaborative instructional programs involving K-12, community
23 and technical colleges, and four-year institutions of higher education
24 to develop a three-year degree program, or reduce the time to degree;

25 (d) Contracts with public or private institutions or businesses to
26 provide services or the development of collaborative programs;

27 (e) Articulation and transfer activities to smooth the transfer of
28 students from K-12 to higher education, or from the community colleges
29 and technical colleges to four-year institutions;

30 (f) Projects that further the development of learner-centered,
31 technology-assisted course delivery; and

32 (g) Projects that further the development of competency-based
33 measurements of student achievement to be used as the basis for
34 awarding degrees and certificates;

35 (5) To solicit grant proposals and provide information to the
36 community and technical colleges and private career schools; and

37 (6) To establish reporting, evaluation, accountability, monitoring,

1 and dissemination requirements for the recipients of the grants awarded
2 by the state board for community and technical colleges.

3 **Sec. 574.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to
4 read as follows:

5 The (~~higher-education-coordinating-board~~) student achievement
6 council and the state board for community and technical colleges may
7 solicit and receive such gifts, grants, and endowments from public or
8 private sources as may be made from time to time, in trust or
9 otherwise, for the use and benefit of the purposes of the program and
10 may expend the same or any income therefrom according to the terms of
11 the gifts, grants, or endowments.

12 **Sec. 575.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to
13 read as follows:

14 The (~~higher-education-coordinating-board~~) student achievement
15 council fund for innovation and quality is hereby established in the
16 custody of the state treasurer. The (~~higher-education-coordinating~~
17 ~~board~~) student achievement council shall deposit in the fund all
18 moneys received under RCW 28B.120.030. Moneys in the fund may be spent
19 only for the purposes of RCW 28B.120.010 and 28B.120.020.
20 Disbursements from the fund shall be on the authorization of the
21 (~~higher-education-coordinating-board~~) student achievement council.
22 The fund is subject to the allotment procedure provided under chapter
23 43.88 RCW, but no appropriation is required for disbursements.

24 **Sec. 576.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended
25 to read as follows:

26 This chapter does not apply to:

27 (1) Bona fide trade, business, professional, or fraternal
28 organizations sponsoring educational programs primarily for that
29 organization's membership or offered by that organization on a no-fee
30 basis;

31 (2) Entities offering education that is exclusively avocational or
32 recreational;

33 (3) Education not requiring payment of money or other consideration
34 if this education is not advertised or promoted as leading toward
35 educational credentials;

1 (4) Entities that are established, operated, and governed by this
2 state or its political subdivisions under Title 28A, 28B, or 28C RCW;

3 (5) Degree-granting programs in compliance with the rules of the
4 (~~higher education coordinating board~~) student achievement council;

5 (6) Any other entity to the extent that it has been exempted from
6 some or all of the provisions of this chapter under RCW 28C.10.100;

7 (7) Entities not otherwise exempt that are of a religious
8 character, but only as to those educational programs exclusively
9 devoted to religious or theological objectives and represented
10 accurately in institutional catalogs or other official publications;

11 (8) Entities offering only courses certified by the federal
12 aviation administration;

13 (9) Barber and cosmetology schools licensed under chapter 18.16
14 RCW;

15 (10) Entities which only offer courses approved to meet the
16 continuing education requirements for licensure under chapter 18.04,
17 18.79, or 48.17 RCW; and

18 (11) Entities not otherwise exempt offering only workshops or
19 seminars lasting no longer than three calendar days.

20 **Sec. 577.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to
21 read as follows:

22 The agency:

23 (1) Shall maintain a list of private vocational schools licensed
24 under this chapter;

25 (2) Shall adopt rules in accordance with chapter 34.05 RCW to carry
26 out this chapter;

27 (3) May investigate any entity the agency reasonably believes to be
28 subject to the jurisdiction of this chapter. In connection with the
29 investigation, the agency may administer oaths and affirmations, issue
30 subpoenas and compel attendance, take evidence, and require the
31 production of any books, papers, correspondence, memorandums, or other
32 records which the agency deems relevant or material to the
33 investigation. The agency, including its staff and any other
34 authorized persons, may conduct site inspections and examine records of
35 all schools subject to this chapter;

36 (4) Shall develop an interagency agreement with the (~~higher~~

1 ~~education coordinating board~~) student achievement council to regulate
2 degree-granting private vocational schools with respect to degree and
3 nondegree programs.

4 **Sec. 578.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to
5 read as follows:

6 The purpose of the board is to provide planning, coordination,
7 evaluation, monitoring, and policy analysis for the state training
8 system as a whole, and advice to the governor and legislature
9 concerning the state training system, in cooperation with the state
10 training system and the (~~higher education coordinating board~~) student
11 achievement council.

12 **Sec. 579.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
13 read as follows:

14 The board, in cooperation with the operating agencies of the state
15 training system and private career schools and colleges, shall:

16 (1) Concentrate its major efforts on planning, coordination
17 evaluation, policy analysis, and recommending improvements to the
18 state's training system;

19 (2) Advocate for the state training system and for meeting the
20 needs of employers and the workforce for workforce education and
21 training;

22 (3) Establish and maintain an inventory of the programs of the
23 state training system, and related state programs, and perform a
24 biennial assessment of the vocational education, training, and adult
25 basic education and literacy needs of the state; identify ongoing and
26 strategic education needs; and assess the extent to which employment,
27 training, vocational and basic education, rehabilitation services, and
28 public assistance services represent a consistent, integrated approach
29 to meet such needs;

30 (4) Develop and maintain a state comprehensive plan for workforce
31 training and education, including but not limited to, goals,
32 objectives, and priorities for the state training system, and review
33 the state training system for consistency with the state comprehensive
34 plan. In developing the state comprehensive plan for workforce
35 training and education, the board shall use, but shall not be limited
36 to: Economic, labor market, and populations trends reports in office

1 of financial management forecasts; joint office of financial management
2 and employment security department labor force, industry employment,
3 and occupational forecasts; the results of scientifically based
4 outcome, net-impact and cost-benefit evaluations; the needs of
5 employers as evidenced in formal employer surveys and other employer
6 input; and the needs of program participants and workers as evidenced
7 in formal surveys and other input from program participants and the
8 labor community;

9 (5) In consultation with the (~~higher-education-coordinating~~
10 ~~board~~) student achievement council, review and make recommendations to
11 the office of financial management and the legislature on operating and
12 capital facilities budget requests for operating agencies of the state
13 training system for purposes of consistency with the state
14 comprehensive plan for workforce training and education;

15 (6) Provide for coordination among the different operating agencies
16 and components of the state training system at the state level and at
17 the regional level;

18 (7) Develop a consistent and reliable database on vocational
19 education enrollments, costs, program activities, and job placements
20 from publicly funded vocational education programs in this state;

21 (8)(a) Establish standards for data collection and maintenance for
22 the operating agencies of the state training system in a format that is
23 accessible to use by the board. The board shall require a minimum of
24 common core data to be collected by each operating agency of the state
25 training system;

26 (b) Develop requirements for minimum common core data in
27 consultation with the office of financial management and the operating
28 agencies of the training system;

29 (9) Establish minimum standards for program evaluation for the
30 operating agencies of the state training system, including, but not
31 limited to, the use of common survey instruments and procedures for
32 measuring perceptions of program participants and employers of program
33 participants, and monitor such program evaluation;

34 (10) Every two years administer scientifically based outcome
35 evaluations of the state training system, including, but not limited
36 to, surveys of program participants, surveys of employers of program
37 participants, and matches with employment security department payroll

1 and wage files. Every five years administer scientifically based net-
2 impact and cost-benefit evaluations of the state training system;

3 (11) In cooperation with the employment security department,
4 provide for the improvement and maintenance of quality and utility in
5 occupational information and forecasts for use in training system
6 planning and evaluation. Improvements shall include, but not be
7 limited to, development of state-based occupational change factors
8 involving input by employers and employees, and delineation of skill
9 and training requirements by education level associated with current
10 and forecasted occupations;

11 (12) Provide for the development of common course description
12 formats, common reporting requirements, and common definitions for
13 operating agencies of the training system;

14 (13) Provide for effectiveness and efficiency reviews of the state
15 training system;

16 (14) In cooperation with the (~~higher-education-coordinating~~
17 ~~board~~)) student achievement council, facilitate transfer of credit
18 policies and agreements between institutions of the state training
19 system, and encourage articulation agreements for programs encompassing
20 two years of secondary workforce education and two years of
21 postsecondary workforce education;

22 (15) In cooperation with the (~~higher-education-coordinating~~
23 ~~board~~)) student achievement council, facilitate transfer of credit
24 policies and agreements between private training institutions and
25 institutions of the state training system;

26 (16) Develop policy objectives for the workforce investment act,
27 P.L. 105-220, or its successor; develop coordination criteria for
28 activities under the act with related programs and services provided by
29 state and local education and training agencies; and ensure that
30 entrepreneurial training opportunities are available through programs
31 of each local workforce investment board in the state;

32 (17) Make recommendations to the commission of student assessment,
33 the state board of education, and the superintendent of public
34 instruction, concerning basic skill competencies and essential core
35 competencies for K-12 education. Basic skills for this purpose shall
36 be reading, writing, computation, speaking, and critical thinking,
37 essential core competencies for this purpose shall be English, math,
38 science/technology, history, geography, and critical thinking. The

1 board shall monitor the development of and provide advice concerning
2 secondary curriculum which integrates vocational and academic
3 education;

4 (18) Establish and administer programs for marketing and outreach
5 to businesses and potential program participants;

6 (19) Facilitate the location of support services, including but not
7 limited to, child care, financial aid, career counseling, and job
8 placement services, for students and trainees at institutions in the
9 state training system, and advocate for support services for trainees
10 and students in the state training system;

11 (20) Facilitate private sector assistance for the state training
12 system, including but not limited to: Financial assistance, rotation
13 of private and public personnel, and vocational counseling;

14 (21) Facilitate the development of programs for school-to-work
15 transition that combine classroom education and on-the-job training,
16 including entrepreneurial education and training, in industries and
17 occupations without a significant number of apprenticeship programs;

18 (22) Include in the planning requirements for local workforce
19 investment boards a requirement that the local workforce investment
20 boards specify how entrepreneurial training is to be offered through
21 the one-stop system required under the workforce investment act, P.L.
22 105-220, or its successor;

23 (23) Encourage and assess progress for the equitable representation
24 of racial and ethnic minorities, women, and people with disabilities
25 among the students, teachers, and administrators of the state training
26 system. Equitable, for this purpose, shall mean substantially
27 proportional to their percentage of the state population in the
28 geographic area served. This function of the board shall in no way
29 lessen more stringent state or federal requirements for representation
30 of racial and ethnic minorities, women, and people with disabilities;

31 (24) Participate in the planning and policy development of governor
32 set-aside grants under P.L. 97-300, as amended;

33 (25) Administer veterans' programs, licensure of private vocational
34 schools, the job skills program, and the Washington award for
35 vocational excellence;

36 (26) Allocate funding from the state job training trust fund;

37 (27) Work with the director of (~~community, trade, and economic~~
38 ~~development~~) commerce and the economic development commission to

1 ensure coordination among workforce training priorities, the long-term
2 economic development strategy of the economic development commission,
3 and economic development and entrepreneurial development efforts,
4 including but not limited to assistance to industry clusters;

5 (28) Conduct research into workforce development programs designed
6 to reduce the high unemployment rate among young people between
7 approximately eighteen and twenty-four years of age. In consultation
8 with the operating agencies, the board shall advise the governor and
9 legislature on policies and programs to alleviate the high unemployment
10 rate among young people. The research shall include disaggregated
11 demographic information and, to the extent possible, income data for
12 adult youth. The research shall also include a comparison of the
13 effectiveness of programs examined as a part of the research conducted
14 in this subsection in relation to the public investment made in these
15 programs in reducing unemployment of young adults. The board shall
16 report to the appropriate committees of the legislature by November 15,
17 2008, and every two years thereafter. Where possible, the data
18 reported to the legislative committees should be reported in numbers
19 and in percentages;

20 (29) Adopt rules as necessary to implement this chapter.

21 The board may delegate to the director any of the functions of this
22 section.

23 **Sec. 580.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to
24 read as follows:

25 The definitions in this section apply throughout this chapter
26 unless the context clearly requires otherwise.

27 (1) "Authority" means a health sciences and services authority
28 created pursuant to this chapter.

29 (2) "Board" means the governing board of trustees of an authority.

30 (3) "Director" means (~~(the director of)~~) the executive director
31 of the (~~(higher education coordinating board)~~) student achievement
32 council.

33 (4) "Health sciences and services" means biosciences that advance
34 new therapies and procedures to combat disease and promote public
35 health.

36 (5) "Local government" means a city, town, or county.

1 (6) "Sponsoring local government" means a city, town, or county
2 that creates a health sciences and services authority.

3 **Sec. 581.** RCW 35.104.040 and 2011 c 155 s 1 are each amended to
4 read as follows:

5 (1) The (~~(higher education coordinating board)~~) student achievement
6 council may approve applications submitted by local governments for an
7 area's designation as a health sciences and services authority under
8 this chapter. The director must determine the division to review
9 applications submitted by local governments under this chapter. The
10 application for designation must be in the form and manner and contain
11 such information as the (~~(higher education coordinating board)~~) student
12 achievement council may prescribe, provided the application:

13 (a) Contains sufficient information to enable the director to
14 determine the viability of the proposal;

15 (b) Demonstrates that an ordinance or resolution has been passed by
16 the legislative authority of a local government that delineates the
17 boundaries of an area that may be designated an authority;

18 (c) Is submitted on behalf of the local government, or, if that
19 office does not exist, by the legislative body of the local government;

20 (d) Demonstrates that the public funds directed to programs or
21 facilities in the authority will leverage private sector resources and
22 contributions to activities to be performed;

23 (e) Provides a plan or plans for the development of the authority
24 as an entity to advance as a cluster for health sciences education,
25 health sciences research, biotechnology development, biotechnology
26 product commercialization, and/or health care services; and

27 (f) Demonstrates that the state has previously provided funds to
28 health sciences and services programs or facilities in the applicant
29 city, town, or county.

30 (2) The director must determine the division to develop criteria to
31 evaluate the application. The criteria must include:

32 (a) The presence of infrastructure capable of spurring development
33 of the area as a center of health sciences and services;

34 (b) The presence of higher education facilities where undergraduate
35 or graduate coursework or research is conducted; and

36 (c) The presence of facilities in which health services are
37 provided.

1 (3) There may be no more than two authorities statewide.

2 (4) An authority may only be created in a county with a population
3 of less than one million persons and located east of the crest of the
4 Cascade mountains.

5 (5) The director may reject or approve an application. When
6 denying an application, the director must specify the application's
7 deficiencies. The decision regarding such designation as it relates to
8 a specific local government is final; however, a rejected application
9 may be resubmitted.

10 (6) Applications are due by December 31, 2010, and must be
11 processed within sixty days of submission.

12 (7) The director may, at his or her discretion, amend the
13 boundaries of an authority upon the request of the local government.

14 (8) The (~~higher education coordinating board~~) student achievement
15 council may adopt any rules necessary to implement this chapter.

16 (9) The (~~higher education coordinating board~~) student achievement
17 council must develop evaluation criteria that enables the local
18 governments to measure the effectiveness of the program.

19 **Sec. 582.** RCW 42.17A.705 and 2011 1st sp.s. c 43 s 109 are each
20 amended to read as follows:

21 For the purposes of RCW 42.17A.700, "executive state officer"
22 includes:

23 (1) The chief administrative law judge, the director of
24 agriculture, the director of the department of services for the blind,
25 the chief information officer of the office of chief information
26 officer, the director of the state system of community and technical
27 colleges, the director of commerce, the director of the consolidated
28 technology services agency, the secretary of corrections, the director
29 of early learning, the director of ecology, the commissioner of
30 employment security, the chair of the energy facility site evaluation
31 council, the director of enterprise services, the secretary of the
32 state finance committee, the director of financial management, the
33 director of fish and wildlife, the executive secretary of the forest
34 practices appeals board, the director of the gambling commission, the
35 secretary of health, the administrator of the Washington state health
36 care authority, the executive secretary of the health care facilities
37 authority, the executive secretary of the higher education facilities

1 authority, the executive secretary of the horse racing commission, the
2 human resources director, the executive secretary of the human rights
3 commission, the executive secretary of the indeterminate sentence
4 review board, the executive director of the state investment board, the
5 director of labor and industries, the director of licensing, the
6 director of the lottery commission, the director of the office of
7 minority and women's business enterprises, the director of parks and
8 recreation, the executive director of the public disclosure commission,
9 the executive director of the Puget Sound partnership, the director of
10 the recreation and conservation office, the director of retirement
11 systems, the director of revenue, the secretary of social and health
12 services, the chief of the Washington state patrol, the executive
13 secretary of the board of tax appeals, the secretary of transportation,
14 the secretary of the utilities and transportation commission, the
15 director of veterans affairs, the president of each of the regional and
16 state universities and the president of The Evergreen State College,
17 and each district and each campus president of each state community
18 college;

19 (2) Each professional staff member of the office of the governor;

20 (3) Each professional staff member of the legislature; and

21 (4) Central Washington University board of trustees, the boards of
22 trustees of each community college and each technical college, each
23 member of the state board for community and technical colleges, state
24 convention and trade center board of directors, Eastern Washington
25 University board of trustees, Washington economic development finance
26 authority, Washington energy northwest executive board, The Evergreen
27 State College board of trustees, executive ethics board, fish and
28 wildlife commission, forest practices appeals board, forest practices
29 board, gambling commission, Washington health care facilities
30 authority, (~~higher education coordinating board~~) student achievement
31 council, higher education facilities authority, horse racing
32 commission, state housing finance commission, human rights commission,
33 indeterminate sentence review board, board of industrial insurance
34 appeals, state investment board, commission on judicial conduct,
35 legislative ethics board, life sciences discovery fund authority board
36 of trustees, liquor control board, lottery commission, Pacific
37 Northwest electric power and conservation planning council, parks and
38 recreation commission, Washington personnel resources board, board of

1 pilotage commissioners, pollution control hearings board, public
2 disclosure commission, public employees' benefits board, recreation and
3 conservation funding board, salmon recovery funding board, shorelines
4 hearings board, board of tax appeals, transportation commission,
5 University of Washington board of regents, utilities and transportation
6 commission, Washington State University board of regents, and Western
7 Washington University board of trustees.

8 **Sec. 583.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
9 read as follows:

10 (1) The governor may, by executive order, after consultation with
11 or notification of the executive-legislative committee on economic
12 development created by chapter . . . (Senate Bill No. 5300), Laws of
13 1993, declare a community to be a "military impacted area." A
14 "military impacted area" means a community or communities, as
15 identified in the executive order, that experience serious social and
16 economic hardships because of a change in defense spending by the
17 federal government in that community or communities.

18 (2) If the governor executes an order under subsection (1) of this
19 section, the governor shall establish a response team to coordinate
20 state efforts to assist the military impacted community. The response
21 team may include, but not be limited to, one member from each of the
22 following agencies: (a) The department of (~~community, trade, and~~
23 ~~economic development~~) commerce; (b) the department of social and
24 health services; (c) the employment security department; (d) the state
25 board for community and technical colleges; (e) the (~~higher education~~
26 ~~coordinating board~~) student achievement council; and (f) the
27 department of transportation. The governor may appoint a response team
28 coordinator. The governor shall seek to actively involve the impacted
29 community or communities in planning and implementing a response to the
30 crisis. The governor may seek input or assistance from the community
31 diversification advisory committee, and the governor may establish task
32 forces in the community or communities to assist in the coordination
33 and delivery of services to the local community. The state and
34 community response shall consider economic development, human service,
35 and training needs of the community or communities impacted.

1 **Sec. 584.** RCW 43.19.797 and 2011 1st sp.s. c 43 s 734 are each
2 amended to read as follows:

3 (1) State agencies that are purchasing wireless devices or services
4 must make such purchases through the state master contract, unless the
5 state agency provides to the office of the chief information officer
6 evidence that the state agency is securing its wireless devices or
7 services from another source for a lower cost than through
8 participation in the state master contract.

9 (2) For the purposes of this section, "state agency" means any
10 office, department, board, commission, or other unit of state
11 government, but does not include a unit of state government headed by
12 a statewide elected official, an institution of higher education as
13 defined in RCW 28B.10.016, the (~~higher education coordinating board~~)
14 student achievement council, the state board for community and
15 technical colleges, or agencies of the legislative or judicial branches
16 of state government.

17 **Sec. 585.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
18 read as follows:

19 (1) An education data center shall be established in the office of
20 financial management. The education data center shall jointly, with
21 the legislative evaluation and accountability program committee,
22 conduct collaborative analyses of early learning, K-12, and higher
23 education programs and education issues across the P-20 system, which
24 includes the department of early learning, the superintendent of public
25 instruction, the professional educator standards board, the state board
26 of education, the state board for community and technical colleges, the
27 workforce training and education coordinating board, the (~~higher
28 education coordinating board~~) student achievement council, public and
29 private nonprofit four-year institutions of higher education, and the
30 employment security department. The education data center shall
31 conduct collaborative analyses under this section with the legislative
32 evaluation and accountability program committee and provide data
33 electronically to the legislative evaluation and accountability program
34 committee, to the extent permitted by state and federal confidentiality
35 requirements. The education data center shall be considered an
36 authorized representative of the state educational agencies in this

1 section under applicable federal and state statutes for purposes of
2 accessing and compiling student record data for research purposes.

3 (2) The education data center shall:

4 (a) In consultation with the legislative evaluation and
5 accountability program committee and the agencies and organizations
6 participating in the education data center, identify the critical
7 research and policy questions that are intended to be addressed by the
8 education data center and the data needed to address the questions;

9 (b) Coordinate with other state education agencies to compile and
10 analyze education data, including data on student demographics that is
11 disaggregated by distinct ethnic categories within racial subgroups,
12 and complete P-20 research projects;

13 (c) Collaborate with the legislative evaluation and accountability
14 program committee and the education and fiscal committees of the
15 legislature in identifying the data to be compiled and analyzed to
16 ensure that legislative interests are served;

17 (d) Annually provide to the K-12 data governance group a list of
18 data elements and data quality improvements that are necessary to
19 answer the research and policy questions identified by the education
20 data center and have been identified by the legislative committees in
21 (c) of this subsection. Within three months of receiving the list, the
22 K-12 data governance group shall develop and transmit to the education
23 data center a feasibility analysis of obtaining or improving the data,
24 including the steps required, estimated time frame, and the financial
25 and other resources that would be required. Based on the analysis, the
26 education data center shall submit, if necessary, a recommendation to
27 the legislature regarding any statutory changes or resources that would
28 be needed to collect or improve the data;

29 (e) Monitor and evaluate the education data collection systems of
30 the organizations and agencies represented in the education data center
31 ensuring that data systems are flexible, able to adapt to evolving
32 needs for information, and to the extent feasible and necessary,
33 include data that are needed to conduct the analyses and provide
34 answers to the research and policy questions identified in (a) of this
35 subsection;

36 (f) Track enrollment and outcomes through the public centralized
37 higher education enrollment system;

1 (g) Assist other state educational agencies' collaborative efforts
2 to develop a long-range enrollment plan for higher education including
3 estimates to meet demographic and workforce needs;

4 (h) Provide research that focuses on student transitions within and
5 among the early learning, K-12, and higher education sectors in the P-
6 20 system; and

7 (i) Make recommendations to the legislature as necessary to help
8 ensure the goals and objectives of this section and RCW 28A.655.210 and
9 28A.300.507 are met.

10 (3) The department of early learning, superintendent of public
11 instruction, professional educator standards board, state board of
12 education, state board for community and technical colleges, workforce
13 training and education coordinating board, (~~higher — education~~
14 ~~coordinating — board~~) student achievement council, public four-year
15 institutions of higher education, and employment security department
16 shall work with the education data center to develop data-sharing and
17 research agreements, consistent with applicable security and
18 confidentiality requirements, to facilitate the work of the center.
19 Private, nonprofit institutions of higher education that provide
20 programs of education beyond the high school level leading at least to
21 the baccalaureate degree and are accredited by the Northwest
22 association of schools and colleges or their peer accreditation bodies
23 may also develop data-sharing and research agreements with the
24 education data center, consistent with applicable security and
25 confidentiality requirements. The education data center shall make
26 data from collaborative analyses available to the education agencies
27 and institutions that contribute data to the education data center to
28 the extent allowed by federal and state security and confidentiality
29 requirements applicable to the data of each contributing agency or
30 institution.

31 **Sec. 586.** RCW 43.41A.100 and 2011 1st sp.s. c 43 s 721 are each
32 amended to read as follows:

33 (1) In overseeing the technical aspects of the K-20 network, the
34 office is not intended to duplicate the statutory responsibilities of
35 the (~~higher — education — coordinating — board~~) student achievement
36 council, the superintendent of public instruction, the state librarian,
37 or the governing boards of the institutions of higher education.

1 (2) The office may not interfere in any curriculum or legally
2 offered programming offered over the K-20 network.

3 (3) The responsibility to review and approve standards and common
4 specifications for the K-20 network remains the responsibility of the
5 office under RCW 43.41A.025.

6 (4) The coordination of telecommunications planning for the common
7 schools remains the responsibility of the superintendent of public
8 instruction. Except as set forth in RCW 43.41A.025(2)(f), the office
9 may recommend, but not require, revisions to the superintendent's
10 telecommunications plans.

11 **Sec. 587.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to
12 read as follows:

13 (1) For purposes of developing budget proposals to the legislature,
14 the governor shall have the power, and it shall be the governor's duty,
15 to require from proper agency officials such detailed estimates and
16 other information in such form and at such times as the governor shall
17 direct. The governor shall communicate statewide priorities to
18 agencies for use in developing biennial budget recommendations for
19 their agency and shall seek public involvement and input on these
20 priorities. The estimates for the legislature and the judiciary shall
21 be transmitted to the governor and shall be included in the budget
22 without revision. The estimates for state pension contributions shall
23 be based on the rates provided in chapter 41.45 RCW. Copies of all
24 such estimates shall be transmitted to the standing committees on ways
25 and means of the house and senate at the same time as they are filed
26 with the governor and the office of financial management.

27 The estimates shall include statements or tables which indicate, by
28 agency, the state funds which are required for the receipt of federal
29 matching revenues. The estimates shall be revised as necessary to
30 reflect legislative enactments and adopted appropriations and shall be
31 included with the initial biennial allotment submitted under RCW
32 43.88.110. The estimates must reflect that the agency considered any
33 alternatives to reduce costs or improve service delivery identified in
34 the findings of a performance audit of the agency by the joint
35 legislative audit and review committee. Nothing in this subsection
36 requires performance audit findings to be published as part of the
37 budget.

1 (2) Each state agency shall define its mission and establish
2 measurable goals for achieving desirable results for those who receive
3 its services and the taxpayers who pay for those services. Each agency
4 shall also develop clear strategies and timelines to achieve its goals.
5 This section does not require an agency to develop a new mission or
6 goals in place of identifiable missions or goals that meet the intent
7 of this section. The mission and goals of each agency must conform to
8 statutory direction and limitations.

9 (3) For the purpose of assessing activity performance, each state
10 agency shall establish quality and productivity objectives for each
11 major activity in its budget. The objectives must be consistent with
12 the missions and goals developed under this section. The objectives
13 must be expressed to the extent practicable in outcome-based,
14 objective, and measurable form unless an exception to adopt a different
15 standard is granted by the office of financial management and approved
16 by the legislative committee on performance review. Objectives must
17 specifically address the statutory purpose or intent of the program or
18 activity and focus on data that measure whether the agency is achieving
19 or making progress toward the purpose of the activity and toward
20 statewide priorities. The office of financial management shall provide
21 necessary professional and technical assistance to assist state
22 agencies in the development of strategic plans that include the mission
23 of the agency and its programs, measurable goals, strategies, and
24 performance measurement systems.

25 (4) Each state agency shall adopt procedures for and perform
26 continuous self-assessment of each activity, using the mission, goals,
27 objectives, and measurements required under subsections (2) and (3) of
28 this section. The assessment of the activity must also include an
29 evaluation of major information technology systems or projects that may
30 assist the agency in achieving or making progress toward the activity
31 purpose and statewide priorities. The evaluation of proposed major
32 information technology systems or projects shall be in accordance with
33 the standards and policies established by the information services
34 board. Agencies' progress toward the mission, goals, objectives, and
35 measurements required by subsections (2) and (3) of this section is
36 subject to review as set forth in this subsection.

37 (a) The office of financial management shall regularly conduct

1 reviews of selected activities to analyze whether the objectives and
2 measurements submitted by agencies demonstrate progress toward
3 statewide results.

4 (b) The office of financial management shall consult with: (i) The
5 ((higher education coordinating board and the state board for community
6 and technical colleges)) four-year institutions of higher education in
7 those reviews that involve four-year institutions of higher education;
8 and (ii) the state board for community and technical colleges in those
9 reviews that involve two-year institutions of higher education.

10 (c) The goal is for all major activities to receive at least one
11 review each year.

12 (d) The office of financial management shall consult with the
13 information services board when conducting reviews of major information
14 technology systems in use by state agencies. The goal is that reviews
15 of these information technology systems occur periodically.

16 (5) It is the policy of the legislature that each agency's budget
17 recommendations must be directly linked to the agency's stated mission
18 and program, quality, and productivity goals and objectives.
19 Consistent with this policy, agency budget proposals must include
20 integration of performance measures that allow objective determination
21 of an activity's success in achieving its goals. When a review under
22 subsection (4) of this section or other analysis determines that the
23 agency's objectives demonstrate that the agency is making insufficient
24 progress toward the goals of any particular program or is otherwise
25 underachieving or inefficient, the agency's budget request shall
26 contain proposals to remedy or improve the selected programs. The
27 office of financial management shall develop a plan to merge the budget
28 development process with agency performance assessment procedures. The
29 plan must include a schedule to integrate agency strategic plans and
30 performance measures into agency budget requests and the governor's
31 budget proposal over three fiscal biennia. The plan must identify
32 those agencies that will implement the revised budget process in the
33 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
34 In consultation with the legislative fiscal committees, the office of
35 financial management shall recommend statutory and procedural
36 modifications to the state's budget, accounting, and reporting systems
37 to facilitate the performance assessment procedures and the merger of

1 those procedures with the state budget process. The plan and
2 recommended statutory and procedural modifications must be submitted to
3 the legislative fiscal committees by September 30, 1996.

4 (6) In reviewing agency budget requests in order to prepare the
5 governor's biennial budget request, the office of financial management
6 shall consider the extent to which the agency's activities demonstrate
7 progress toward the statewide budgeting priorities, along with any
8 specific review conducted under subsection (4) of this section.

9 (7) In the year of the gubernatorial election, the governor shall
10 invite the governor-elect or the governor-elect's designee to attend
11 all hearings provided in RCW 43.88.100; and the governor shall furnish
12 the governor-elect or the governor-elect's designee with such
13 information as will enable the governor-elect or the governor-elect's
14 designee to gain an understanding of the state's budget requirements.
15 The governor-elect or the governor-elect's designee may ask such
16 questions during the hearings and require such information as the
17 governor-elect or the governor-elect's designee deems necessary and may
18 make recommendations in connection with any item of the budget which,
19 with the governor-elect's reasons therefor, shall be presented to the
20 legislature in writing with the budget document. Copies of all such
21 estimates and other required information shall also be submitted to the
22 standing committees on ways and means of the house and senate.

23 **Sec. 588.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to
24 read as follows:

25 (1) In overseeing the technical aspects of the K-20 network, the
26 information services board is not intended to duplicate the statutory
27 responsibilities of the (~~higher education coordinating board~~) student
28 achievement council, the superintendent of public instruction, the
29 information services board, the state librarian, or the governing
30 boards of the institutions of higher education.

31 (2) The board may not interfere in any curriculum or legally
32 offered programming offered over the network.

33 (3) The responsibility to review and approve standards and common
34 specifications for the network remains the responsibility of the
35 information services board under RCW 43.105.041.

36 (4) The coordination of telecommunications planning for the common
37 schools remains the responsibility of the superintendent of public

1 instruction. Except as set forth in RCW 43.105.041(1)(d), the board
2 may recommend, but not require, revisions to the superintendent's
3 telecommunications plans.

4 **Sec. 589.** RCW 43.215.090 and 2011 c 177 s 2 are each amended to
5 read as follows:

6 (1) The early learning advisory council is established to advise
7 the department on statewide early learning issues that would build a
8 comprehensive system of quality early learning programs and services
9 for Washington's children and families by assessing needs and the
10 availability of services, aligning resources, developing plans for data
11 collection and professional development of early childhood educators,
12 and establishing key performance measures.

13 (2) The council shall work in conjunction with the department to
14 develop a statewide early learning plan that guides the department in
15 promoting alignment of private and public sector actions, objectives,
16 and resources, and ensuring school readiness.

17 (3) The council shall include diverse, statewide representation
18 from public, nonprofit, and for-profit entities. Its membership shall
19 reflect regional, racial, and cultural diversity to adequately
20 represent the needs of all children and families in the state.

21 (4) Councilmembers shall serve two-year terms. However, to stagger
22 the terms of the council, the initial appointments for twelve of the
23 members shall be for one year. Once the initial one-year to two-year
24 terms expire, all subsequent terms shall be for two years, with the
25 terms expiring on June 30th of the applicable year. The terms shall be
26 staggered in such a way that, where possible, the terms of members
27 representing a specific group do not expire simultaneously.

28 (5) The council shall consist of not more than twenty-three
29 members, as follows:

30 (a) The governor shall appoint at least one representative from
31 each of the following: The department, the office of financial
32 management, the department of social and health services, the
33 department of health, the (~~higher education coordinating board~~)
34 student achievement council, and the state board for community and
35 technical colleges;

36 (b) One representative from the office of the superintendent of

1 public instruction, to be appointed by the superintendent of public
2 instruction;

3 (c) The governor shall appoint seven leaders in early childhood
4 education, with at least one representative with experience or
5 expertise in one or more of the areas such as the following: The K-12
6 system, family day care providers, and child care centers with four of
7 the seven governor's appointees made as follows:

8 (i) The head start state collaboration office director or the
9 director's designee;

10 (ii) A representative of a head start, early head start,
11 migrant/seasonal head start, or tribal head start program;

12 (iii) A representative of a local education agency; and

13 (iv) A representative of the state agency responsible for programs
14 under section 619 or part C of the federal individuals with
15 disabilities education act;

16 (d) Two members of the house of representatives, one from each
17 caucus, and two members of the senate, one from each caucus, to be
18 appointed by the speaker of the house of representatives and the
19 president of the senate, respectively;

20 (e) Two parents, one of whom serves on the department's parent
21 advisory group, to be appointed by the governor;

22 (f) One representative of the private-public partnership created in
23 RCW 43.215.070, to be appointed by the partnership board;

24 (g) One representative designated by sovereign tribal governments;
25 and

26 (h) One representative from the Washington federation of
27 independent schools.

28 (6) The council shall be cochaired by one representative of a state
29 agency and one nongovernmental member, to be elected by the council for
30 two-year terms.

31 (7) The council shall appoint two members and stakeholders with
32 expertise in early learning to sit on the technical working group
33 created in section 2, chapter 234, Laws of 2010.

34 (8) Each member of the board shall be compensated in accordance
35 with RCW 43.03.240 and reimbursed for travel expenses incurred in
36 carrying out the duties of the board in accordance with RCW 43.03.050
37 and 43.03.060.

38 (9) The department shall provide staff support to the council.

1 **Sec. 590.** RCW 43.330.310 and 2010 c 187 s 2 are each amended to
2 read as follows:

3 (1) The legislature establishes a comprehensive green economy jobs
4 growth initiative based on the goal of, by 2020, increasing the number
5 of green economy jobs to twenty-five thousand from the eight thousand
6 four hundred green economy jobs the state had in 2004.

7 (2) The department, in consultation with the employment security
8 department, the state workforce training and education coordinating
9 board, the state board for community and technical colleges, and the
10 (~~higher education coordinating board~~) student achievement council,
11 shall develop a defined list of terms, consistent with current
12 workforce and economic development terms, associated with green economy
13 industries and jobs.

14 (3)(a) The employment security department, in consultation with the
15 department, the state workforce training and education coordinating
16 board, the state board for community and technical colleges, the
17 (~~higher education coordinating board~~) student achievement council,
18 Washington State University small business development center, and the
19 Washington State University extension energy program, shall conduct
20 labor market research to analyze the current labor market and projected
21 job growth in the green economy, the current and projected recruitment
22 and skill requirement of green economy industry employers, the wage and
23 benefits ranges of jobs within green economy industries, and the
24 education and training requirements of entry-level and incumbent
25 workers in those industries.

26 (i) The employment security department shall conduct an analysis of
27 occupations in the forest products industry to: (A) Determine key
28 growth factors and employment projections in the industry; and (B)
29 define the education and skill standards required for current and
30 emerging green occupations in the industry.

31 (ii) The term "forest products industry" must be given a broad
32 interpretation when implementing (a)(i) of this subsection and
33 includes, but is not limited to, businesses that grow, manage, harvest,
34 transport, and process forest, wood, and paper products.

35 (b) The University of Washington business and economic development
36 center shall: Analyze the current opportunities for and participation
37 in the green economy by minority and women-owned business enterprises
38 in Washington; identify existing barriers to their successful

1 participation in the green economy; and develop strategies with
2 specific policy recommendations to improve their successful
3 participation in the green economy. The research may be informed by
4 the research of the Puget Sound regional council prosperity
5 partnership, as well as other entities. The University of Washington
6 business and economic development center shall report to the
7 appropriate committees of the house of representatives and the senate
8 on their research, analysis, and recommendations by December 1, 2008.

9 (4) Based on the findings from subsection (3) of this section, the
10 employment security department, in consultation with the department and
11 taking into account the requirements and goals of chapter 14, Laws of
12 2008 and other state clean energy and energy efficiency policies, shall
13 propose which industries will be considered high-demand green
14 industries, based on current and projected job creation and their
15 strategic importance to the development of the state's green economy.
16 The employment security department and the department shall take into
17 account which jobs within green economy industries will be considered
18 high-wage occupations and occupations that are part of career pathways
19 to the same, based on family-sustaining wage and benefits ranges.
20 These designations, and the results of the employment security
21 department's broader labor market research, shall inform the planning
22 and strategic direction of the department, the state workforce training
23 and education coordinating board, the state board for community and
24 technical colleges, and the ~~((higher-education-coordinating-board))~~
25 student achievement council.

26 (5) The department shall identify emerging technologies and
27 innovations that are likely to contribute to advancements in the green
28 economy, including the activities in designated innovation partnership
29 zones established in RCW 43.330.270.

30 (6) The department, consistent with the priorities established by
31 the state economic development commission, shall:

32 (a) Develop targeting criteria for existing investments, and make
33 recommendations for new or expanded financial incentives and
34 comprehensive strategies, to recruit, retain, and expand green economy
35 industries and small businesses; and

36 (b) Make recommendations for new or expanded financial incentives
37 and comprehensive strategies to stimulate research and development of

1 green technology and innovation, including designating innovation
2 partnership zones linked to the green economy.

3 (7) For the purposes of this section, "target populations" means
4 (a) entry-level or incumbent workers in high-demand green industries
5 who are in, or are preparing for, high-wage occupations; (b) dislocated
6 workers in declining industries who may be retrained for high-wage
7 occupations in high-demand green industries; (c) dislocated
8 agriculture, timber, or energy sector workers who may be retrained for
9 high-wage occupations in high-demand green industries; (d) eligible
10 veterans or national guard members; (e) disadvantaged populations; or
11 (f) anyone eligible to participate in the state opportunity grant
12 program under RCW 28B.50.271.

13 (8) The legislature directs the state workforce training and
14 education coordinating board to create and pilot green industry skill
15 panels. These panels shall consist of business representatives from:
16 Green industry sectors, including but not limited to forest product
17 companies, companies engaged in energy efficiency and renewable energy
18 production, companies engaged in pollution prevention, reduction, and
19 mitigation, and companies engaged in green building work and green
20 transportation; labor unions representing workers in those industries
21 or labor affiliates administering state-approved, joint apprenticeship
22 programs or labor-management partnership programs that train workers
23 for these industries; state and local veterans agencies; employer
24 associations; educational institutions; and local workforce development
25 councils within the region that the panels propose to operate; and
26 other key stakeholders as determined by the applicant. Any of these
27 stakeholder organizations are eligible to receive grants under this
28 section and serve as the intermediary that convenes and leads the
29 panel. Panel applicants must provide labor market and industry
30 analysis that demonstrates high demand, or demand of strategic
31 importance to the development of the state's clean energy economy as
32 identified in this section, for high-wage occupations, or occupations
33 that are part of career pathways to the same, within the relevant
34 industry sector. The panel shall:

35 (a) Conduct labor market and industry analyses, in consultation
36 with the employment security department, and drawing on the findings of
37 its research when available;

1 (b) Plan strategies to meet the recruitment and training needs of
2 the industry and small businesses; and

3 (c) Leverage and align other public and private funding sources.

4 (9) The green industries jobs training account is created in the
5 state treasury. Moneys from the account must be utilized to supplement
6 the state opportunity grant program established under RCW 28B.50.271.
7 All receipts from appropriations directed to the account must be
8 deposited into the account. Expenditures from the account may be used
9 only for the activities identified in this subsection. The state board
10 for community and technical colleges, in consultation with the state
11 workforce training and education coordinating board, informed by the
12 research of the employment security department and the strategies
13 developed in this section, may authorize expenditures from the account.
14 The state board for community and technical colleges must distribute
15 grants from the account on a competitive basis.

16 (a)(i) Allowable uses of these grant funds, which should be used
17 when other public or private funds are insufficient or unavailable, may
18 include:

19 (A) Curriculum development;

20 (B) Transitional jobs strategies for dislocated workers in
21 declining industries who may be retrained for high-wage occupations in
22 green industries;

23 (C) Workforce education to target populations; and

24 (D) Adult basic and remedial education as necessary linked to
25 occupation skills training.

26 (ii) Allowable uses of these grant funds do not include student
27 assistance and support services available through the state opportunity
28 grant program under RCW 28B.50.271.

29 (b) Applicants eligible to receive these grants may be any
30 organization or a partnership of organizations that has demonstrated
31 expertise in:

32 (i) Implementing effective education and training programs that
33 meet industry demand; and

34 (ii) Recruiting and supporting, to successful completion of those
35 training programs carried out under these grants, the target
36 populations of workers.

37 (c) In awarding grants from the green industries jobs training

1 account, the state board for community and technical colleges shall
2 give priority to applicants that demonstrate the ability to:

3 (i) Use labor market and industry analysis developed by the
4 employment security department and green industry skill panels in the
5 design and delivery of the relevant education and training program, and
6 otherwise utilize strategies developed by green industry skill panels;

7 (ii) Leverage and align existing public programs and resources and
8 private resources toward the goal of recruiting, supporting, educating,
9 and training target populations of workers;

10 (iii) Work collaboratively with other relevant stakeholders in the
11 regional economy;

12 (iv) Link adult basic and remedial education, where necessary, with
13 occupation skills training;

14 (v) Involve employers and, where applicable, labor unions in the
15 determination of relevant skills and competencies and, where relevant,
16 the validation of career pathways; and

17 (vi) Ensure that supportive services, where necessary, are
18 integrated with education and training and are delivered by
19 organizations with direct access to and experience with the targeted
20 population of workers.

21 **Sec. 591.** RCW 43.330.375 and 2010 c 187 s 3 are each amended to
22 read as follows:

23 (1) The department and the workforce board must:

24 (a) Coordinate efforts across the state to ensure that federal
25 training and education funds are captured and deployed in a focused and
26 effective manner in order to support green economy projects and
27 accomplish the goals of the evergreen jobs initiative;

28 (b) Accelerate and coordinate efforts by state and local
29 organizations to identify, apply for, and secure all sources of funds,
30 particularly those created by the 2009 American recovery and
31 reinvestment act, and to ensure that distributions of funding to local
32 organizations are allocated in a manner that is time-efficient and
33 user-friendly for the local organizations. Local organizations
34 eligible to receive support include but are not limited to:

35 (i) Associate development organizations;

36 (ii) Workforce development councils;

37 (iii) Public utility districts; and

1 (iv) Community action agencies;

2 (c) Support green economy projects at both the state and local
3 level by developing a process and a framework to provide, at a minimum:
4 (i) Administrative and technical assistance;
5 (ii) Assistance with and expediting of permit processes; and
6 (iii) Priority consideration of opportunities leading to exportable
7 green economy goods and services, including renewable energy
8 technology;

9 (d) Coordinate local and state implementation of projects using
10 federal funds to ensure implementation is time-efficient and user-
11 friendly for local organizations;

12 (e) Emphasize through both support and outreach efforts, projects
13 that:
14 (i) Have a strong and lasting economic or environmental impact;
15 (ii) Lead to a domestically or internationally exportable good or
16 service, including renewable energy technology;
17 (iii) Create training programs leading to a credential,
18 certificate, or degree in a green economy field;
19 (iv) Strengthen the state's competitiveness in a particular sector
20 or cluster of the green economy;

21 (v) Create employment opportunities for veterans, members of the
22 national guard, and low-income and disadvantaged populations;

23 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;

24 (vii) Ensure at least fifteen percent of labor hours are performed
25 by apprentices;

26 (f) Identify emerging technologies and innovations that are likely
27 to contribute to advancements in the green economy, including the
28 activities in designated innovation partnership zones established in
29 RCW 43.330.270;

30 (g) Identify barriers to the growth of green jobs in traditional
31 industries such as the forest products industry;

32 (h) Identify statewide performance metrics for projects receiving
33 agency assistance. Such metrics may include:
34 (i) The number of new green jobs created each year, their wage
35 levels, and, to the extent determinable, the percentage of new green
36 jobs filled by veterans, members of the national guard, and low-income
37 and disadvantaged populations;

1 (ii) The total amount of new federal funding secured, the
2 respective amounts allocated to the state and local levels, and the
3 timeliness of deployment of new funding by state agencies to the local
4 level;

5 (iii) The timeliness of state deployment of funds and support to
6 local organizations; and

7 (iv) If available, the completion rates, time to completion, and
8 training-related placement rates for green economy postsecondary
9 training programs;

10 (i) Identify strategies to allocate existing and new funding
11 streams for green economy workforce training programs and education to
12 emphasize those leading to a credential, certificate, or degree in a
13 green economy field;

14 (j) Identify and implement strategies to allocate existing and new
15 funding streams for workforce development councils and associate
16 development organizations to increase their effectiveness and
17 efficiency and increase local capacity to respond rapidly and
18 comprehensively to opportunities to attract green jobs to local
19 communities;

20 (k) Develop targeting criteria for existing investments that are
21 consistent with the economic development commission's economic
22 development strategy and the goals of this section and RCW 28C.18.170,
23 28B.50.281, and 49.04.200; and

24 (1) Make and support outreach efforts so that residents of
25 Washington, particularly members of target populations, become aware of
26 educational and employment opportunities identified and funded through
27 the evergreen jobs act.

28 (2) The department and the workforce board must provide semiannual
29 performance reports to the governor and appropriate committees of the
30 legislature on:

31 (a) Actual statewide performance based on the performance measures
32 identified in subsection (1)(h) of this section;

33 (b) How the state is emphasizing and supporting projects that lead
34 to a domestically or internationally exportable good or service,
35 including renewable energy technology;

36 (c) A list of projects supported, created, or funded in furtherance
37 of the goals of the evergreen jobs initiative and the actions taken by

1 state and local organizations, including the effectiveness of state
2 agency support provided to local organizations as directed in
3 subsection (1)(b) and (c) of this section;

4 (d) Recommendations for new or expanded financial incentives and
5 comprehensive strategies to:

6 (i) Recruit, retain, and expand green economy industries and small
7 businesses; and

8 (ii) Stimulate research and development of green technology and
9 innovation, which may include designating innovation partnership zones
10 linked to the green economy;

11 (e) Any information that associate development organizations and
12 workforce development councils choose to provide to appropriate
13 legislative committees regarding the effectiveness, timeliness, and
14 coordination of support provided by state agencies under this section
15 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

16 (f) Any recommended statutory changes necessary to increase the
17 effectiveness of the evergreen jobs initiative and state responsiveness
18 to local agencies and organizations.

19 (3) The definitions, designations, and results of the employment
20 security department's broader labor market research under RCW
21 43.330.010 shall inform the planning and strategic direction of the
22 department, the state workforce training and education coordinating
23 board, the state board for community and technical colleges, and the
24 (~~higher education coordinating board~~) student achievement council.

25 **Sec. 592.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to
26 read as follows:

27 (1) A regional transportation planning organization containing any
28 county with a population in excess of one million in collaboration with
29 representatives from the department of ecology, the department of
30 (~~community, — trade, — and — economic — development~~) commerce, local
31 governments, and the office of regulatory assistance must seek federal
32 or private funding for the planning for, deployment of, or regulations
33 concerning electric vehicle infrastructure. These efforts should
34 include:

35 (a) Development of short-term and long-term plans outlining how
36 state, regional, and local government construction may include electric
37 vehicle infrastructure in publicly available off-street parking and

1 government fleet vehicle parking, including what ratios of charge spots
2 to parking may be appropriate based on location or type of facility or
3 building;

4 (b) Consultations with the state building code council and the
5 department of labor and industries to coordinate the plans with state
6 standards for new residential, commercial, and industrial buildings to
7 ensure that the appropriate electric circuitry is installed to support
8 electric vehicle infrastructure;

9 (c) Consultation with the workforce development council and the
10 (~~higher education coordinating board~~) student achievement council to
11 ensure the development of appropriate educational and training
12 opportunities for citizens of the state in support of the transition of
13 some portion of vehicular transportation from combustion to electric
14 vehicles;

15 (d) Development of an implementation plan for counties with a
16 population greater than five hundred thousand with the goal of having
17 public and private parking spaces, in the aggregate, be ten percent
18 electric vehicle ready by December 31, 2018; and

19 (e) Development of model ordinances and guidance for local
20 governments for siting and installing electric vehicle infrastructure,
21 in particular battery charging stations, and appropriate handling,
22 recycling, and storage of electric vehicle batteries and equipment.

23 (2) These plans and any recommendations developed as a result of
24 the consultations required by this section must be submitted to the
25 legislature by December 31, 2010, or as soon as reasonably practicable
26 after the securing of any federal or private funding. Priority will be
27 given to the activities in subsection (1)(e) of this section and any
28 ordinances or guidance that is developed will be submitted to the
29 legislature, the department of (~~community, trade, and economic~~
30 ~~development~~) commerce, and affected local governments prior to
31 December 31, 2010, if completed.

32 (3) The definitions in this subsection apply (~~through~~
33 ~~[throughout]~~) throughout this section unless the context clearly
34 requires otherwise.

35 (a) "Battery charging station" means an electrical component
36 assembly or cluster of component assemblies designed specifically to
37 charge batteries within electric vehicles, which meet or exceed any

1 standards, codes, and regulations set forth by chapter 19.28 RCW and
2 consistent with rules adopted under RCW 19.27.540.

3 (b) "Battery exchange station" means a fully automated facility
4 that will enable an electric vehicle with a swappable battery to enter
5 a drive lane and exchange the depleted battery with a fully charged
6 battery through a fully automated process, which meets or exceeds any
7 standards, codes, and regulations set forth by chapter 19.28 RCW and
8 consistent with rules adopted under RCW 19.27.540.

9 (c) "Electric vehicle infrastructure" means structures, machinery,
10 and equipment necessary and integral to support an electric vehicle,
11 including battery charging stations, rapid charging stations, and
12 battery exchange stations.

13 (d) "Rapid charging station" means an industrial grade electrical
14 outlet that allows for faster recharging of electric vehicle batteries
15 through higher power levels, which meets or exceeds any standards,
16 codes, and regulations set forth by chapter 19.28 RCW and consistent
17 with rules adopted under RCW 19.27.540.

18 **Sec. 593.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to
19 read as follows:

20 (1) The department, in consultation with at least the (~~higher~~
21 ~~education coordinating board~~) student achievement council, the state
22 board for community and technical colleges, the superintendent of
23 public instruction, and state-supported education programs in medicine,
24 pharmacy, and nursing, shall develop a plan for increasing rural
25 training opportunities for students in medicine, pharmacy, and nursing.
26 The plan shall provide for direct exposure to rural health professional
27 practice conditions for students planning careers in medicine,
28 pharmacy, and nursing.

29 (2) The department and the medical, pharmacy, and nurse education
30 programs shall:

31 (a) Inventory existing rural-based clinical experience programs,
32 including internships, clerkships, residencies, and other training
33 opportunities available to students pursuing degrees in nursing,
34 pharmacy, and medicine;

35 (b) Identify where training opportunities do not currently exist
36 and are needed;

1 (c) Develop recommendations for improving the availability of rural
2 training opportunities;

3 (d) Develop recommendations on establishing agreements between
4 education programs to assure that all students in medical, pharmacist,
5 and nurse education programs in the state have access to rural training
6 opportunities; and

7 (e) Review private and public funding sources to finance rural-
8 based training opportunities.

9 **Sec. 594.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read
10 as follows:

11 (1) The department shall establish an oversight committee composed
12 of staff from the children's administration of the department, the
13 office of the superintendent of public instruction, the (~~higher~~
14 ~~education-coordinating-board~~) student_achievement_council, foster
15 youth, former foster youth, foster parents, and advocacy agencies to
16 develop strategies for maintaining foster children in the schools they
17 were attending at the time they entered foster care and to promote
18 opportunities for foster youth to participate in postsecondary
19 education or training.

20 (2) The duties of the oversight committee shall include, but are
21 not limited to:

22 (a) Developing strategies for school-based recruitment of foster
23 homes;

24 (b) Monitoring the progress of current pilot projects that assist
25 foster children to continue attending the schools they were attending
26 at the time they entered foster care;

27 (c) Overseeing the expansion of the number of pilot projects;

28 (d) Promoting the use of best practices, throughout the state,
29 demonstrated by the pilot projects and other programs relating to
30 maintaining foster children in the schools they were attending at the
31 time they entered foster care;

32 (e) Informing the legislature of the status of efforts to maintain
33 foster children in the schools they were attending at the time they
34 entered foster care;

35 (f) Assessing the scope and nature of statewide need among current
36 and former foster youth for assistance to pursue and participate in
37 postsecondary education or training opportunities;

1 (g) Identifying available sources of funding available in the state
2 for services to former foster youth to pursue and participate in
3 postsecondary education or training opportunities;

4 (h) Reviewing the effectiveness of activities in the state to
5 support former foster youth to pursue and participate in postsecondary
6 education or training opportunities;

7 (i) Identifying new activities, or existing activities that should
8 be modified or expanded, to best meet statewide needs; and

9 (j) Reviewing on an ongoing basis the progress toward improving
10 educational and vocational outcomes for foster youth.

11 **PART VI**

12 **REFERENCES TO THE OFFICE OF STUDENT FINANCIAL ASSISTANCE**

13 **Sec. 601.** RCW 28A.175.135 and 2011 c 288 s 3 are each amended to
14 read as follows:

15 Subject to funds appropriated for this purpose, funds shall be
16 allocated as specified in the omnibus appropriations act to support the
17 PASS program through the following programs:

18 (1) The opportunity internship program under RCW 28C.18.160 through
19 28C.18.168;

20 (2) The jobs for America's graduates program administered through
21 the office of the superintendent of public instruction;

22 (3) The building bridges program under RCW 28A.175.025, to be used
23 to expand programs that have been implemented by building bridges
24 partnerships and determined by the building bridges work group to be
25 successful in reducing dropout rates, or to replicate such programs in
26 new partnerships; and

27 (4) Individualized student support services provided by a college
28 scholarship organization with expertise in managing scholarships for
29 low-income, high potential students and foster care youth under
30 contract with the (~~higher education coordinating board~~) office of
31 student financial assistance, including but not limited to college and
32 career advising, counseling, tutoring, community mentor programs, and
33 leadership development.

34 **Sec. 602.** RCW 28B.12.070 and 2011 1st sp.s. c 11 s 147 are each
35 amended to read as follows:

1 Each eligible institution shall submit to the office of student
2 financial assistance an annual report in accordance with such
3 requirements as are adopted by the ((~~board~~)) office.

4 **Sec. 603.** RCW 28B.15.764 and 1985 c 370 s 81 are each amended to
5 read as follows:

6 The ((~~board~~)) office and institutions of higher education shall
7 work cooperatively to implement RCW 28B.15.762 and to publicize this
8 program to eligible students.

9 **Sec. 604.** RCW 28B.76.505 and 2011 1st sp.s. c 11 s 107 are each
10 amended to read as follows:

11 (1) The investment of funds from all scholarship endowment programs
12 administered by the office shall be managed by the state investment
13 board.

14 (2) The state investment board has the full power to invest,
15 reinvest, manage, contract, sell, or exchange investment money in
16 scholarship endowment funds. All investment and operating costs
17 associated with the investment of a scholarship endowment fund shall be
18 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of
19 these expenses, the earnings from the investments of the fund belong to
20 the fund.

21 (3) Funds from all scholarship endowment programs administered by
22 the ((~~board~~)) office shall be in the custody of the state treasurer.

23 (4) All investments made by the state investment board shall be
24 made with the exercise of that degree of judgment and care pursuant to
25 RCW 43.33A.140 and the investment policies established by the state
26 investment board.

27 (5) As deemed appropriate by the state investment board, money in
28 a scholarship endowment fund may be commingled for investment with
29 other funds subject to investment by the state investment board.

30 (6) The authority to establish all policies relating to scholarship
31 endowment funds, other than the investment policies in subsections (2)
32 through (5) of this section, resides with the office.

33 (7) The office may request and accept moneys from the state
34 investment board. With the exception of expenses of the state
35 investment board in subsection (2) of this section, disbursements from

1 the fund shall be made only on the authorization of the office and
2 money in the fund may be spent only for the purposes of the endowment
3 programs as specified in the authorizing chapter of each program.

4 (8) The state investment board shall routinely consult and
5 communicate with the office on the investment policy, earnings of the
6 scholarship endowment funds, and related needs of the programs.

7 **Sec. 605.** RCW 28B.92.080 and 2009 c 238 s 9 are each amended to
8 read as follows:

9 Except for opportunity internship graduates whose eligibility is
10 provided under RCW 28B.92.084, for a student to be eligible for a state
11 need grant a student must:

12 (1) Be a "needy student" or "disadvantaged student" as determined
13 by the (~~board~~) office in accordance with RCW 28B.92.030 (~~(+3)~~) (1)
14 and (4);

15 (2) Have been domiciled within the state of Washington for at least
16 one year;

17 (3) Be enrolled or accepted for enrollment on at least a half-time
18 basis at an institution of higher education in Washington as defined in
19 RCW 28B.92.030(~~(+1)~~) (3);

20 (4) Until June 30, 2011, to the extent funds are specifically
21 appropriated for this purpose, and subject to any terms and conditions
22 specified in the omnibus appropriations act, be enrolled or accepted
23 for enrollment for at least three quarter credits or the equivalent
24 semester credits at an institution of higher education in Washington as
25 defined in RCW 28B.92.030(~~(+1)~~) (3); and

26 (5) Have complied with all the rules adopted by the (~~board~~)
27 council for the administration of this chapter.

28 **Sec. 606.** RCW 28B.95.020 and 2011 1st sp.s. c 11 s 168 are each
29 amended to read as follows:

30 The definitions in this section apply throughout this chapter,
31 unless the context clearly requires otherwise.

32 (1) "Academic year" means the regular nine-month, three-quarter, or
33 two-semester period annually occurring between August 1st and July
34 31st.

35 (2) "Account" means the Washington advanced college tuition payment
36 program account established for the deposit of all money received by

1 the ((~~board~~)) office from eligible purchasers and interest earnings on
2 investments of funds in the account, as well as for all expenditures on
3 behalf of eligible beneficiaries for the redemption of tuition units
4 and for the development of any authorized college savings program
5 pursuant to RCW 28B.95.150.

6 (3) "Committee on advanced tuition payment" or "committee" means a
7 committee of the following members: The state treasurer, the director
8 of the office of financial management, the director of the office, or
9 their designees, and two members to be appointed by the governor, one
10 representing program participants and one private business
11 representative with marketing, public relations, or financial
12 expertise.

13 (4) "Contractual obligation" means a legally binding contract of
14 the state with the purchaser and the beneficiary establishing that
15 purchases of tuition units will be worth the same number of tuition
16 units at the time of redemption as they were worth at the time of the
17 purchase.

18 (5) "Eligible beneficiary" means the person for whom the tuition
19 unit will be redeemed for attendance at an institution of higher
20 education. The beneficiary is that person named by the purchaser at
21 the time that a tuition unit contract is accepted by the governing
22 body. Qualified organizations, as allowed under section 529 of the
23 federal internal revenue code, purchasing tuition unit contracts as
24 future scholarships need not designate a beneficiary at the time of
25 purchase.

26 (6) "Eligible purchaser" means an individual or organization that
27 has entered into a tuition unit contract with the governing body for
28 the purchase of tuition units for an eligible beneficiary. The state
29 of Washington may be an eligible purchaser for purposes of purchasing
30 tuition units to be held for granting Washington college bound
31 scholarships.

32 (7) "Full-time tuition charges" means resident tuition charges at
33 a state institution of higher education for enrollments between ten
34 credits and eighteen credit hours per academic term.

35 (8) "Governing body" means the committee empowered by the
36 legislature to administer the Washington advanced college tuition
37 payment program.

1 (9) "Institution of higher education" means an institution that
2 offers education beyond the secondary level and is recognized by the
3 internal revenue service under chapter 529 of the internal revenue
4 code.

5 (10) "Investment board" means the state investment board as defined
6 in chapter 43.33A RCW.

7 (11) "Office" means the office of student financial assistance as
8 defined in chapter 28B.76 RCW.

9 (12) "State institution of higher education" means institutions of
10 higher education as defined in RCW 28B.10.016.

11 (13) "Tuition and fees" means undergraduate tuition and services
12 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded
13 to the nearest whole dollar. For purposes of this chapter, services
14 and activities fees do not include fees charged for the payment of
15 bonds heretofore or hereafter issued for, or other indebtedness
16 incurred to pay, all or part of the cost of acquiring, constructing, or
17 installing any lands, buildings, or facilities.

18 (14) "Tuition unit contract" means a contract between an eligible
19 purchaser and the governing body, or a successor agency appointed for
20 administration of this chapter, for the purchase of tuition units for
21 a specified beneficiary that may be redeemed at a later date for an
22 equal number of tuition units.

23 (15) "Unit purchase price" means the minimum cost to purchase one
24 tuition unit for an eligible beneficiary. Generally, the minimum
25 purchase price is one percent of the undergraduate tuition and fees for
26 the current year, rounded to the nearest whole dollar, adjusted for the
27 costs of administration and adjusted to ensure the actuarial soundness
28 of the account. The analysis for price setting shall also include, but
29 not be limited to consideration of past and projected patterns of
30 tuition increases, program liability, past and projected investment
31 returns, and the need for a prudent stabilization reserve.

32 **Sec. 607.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
33 read as follows:

34 (1) Participants in the conditional scholarship program incur an
35 obligation to repay the conditional scholarship, with interest, unless
36 they serve in the Washington national guard for one additional year for

1 each year of conditional scholarship received, under rules adopted by
2 the office.

3 (2) The entire principal and interest of each yearly repayment
4 shall be forgiven for each additional year in which a participant
5 serves in the Washington national guard, under rules adopted by the
6 office.

7 (3) If a participant elects to repay the conditional scholarship,
8 the period of repayment shall be four years, with payments accruing
9 quarterly commencing nine months from the date that the participant
10 leaves the Washington national guard or withdraws from the institution
11 of higher education, whichever comes first. The interest rate on the
12 repayments shall be eight percent per year. Provisions for deferral
13 and forgiveness shall be determined by the office.

14 (4) The office is responsible for collection of repayments made
15 under this section. The office shall exercise due diligence in such
16 collection, maintaining all necessary records to ensure that maximum
17 repayments are made. Collection and servicing of repayments under this
18 section shall be pursued using the full extent of law, including wage
19 garnishment if necessary. The office is responsible to forgive all or
20 parts of such repayments under the criteria established in this
21 section, and shall maintain all necessary records of forgiven payments.
22 The office may contract with the (~~higher-education-coordinating~~
23 ~~board~~) office of student financial assistance for collection of
24 repayments under this section.

25 (5) Receipts from the payment of principal or interest paid by or
26 on behalf of participants shall be deposited with the office and shall
27 be used to cover the costs of granting the conditional scholarships,
28 maintaining necessary records, and making collections under subsection
29 (4) of this section. The office shall maintain accurate records of
30 these costs, and all receipts beyond those necessary to pay such costs
31 shall be used to grant conditional scholarships to eligible students.

32 **Sec. 608.** RCW 28B.108.020 and 2011 1st sp.s. c 11 s 192 are each
33 amended to read as follows:

34 (1) The American Indian endowed scholarship program is created.
35 The program shall be administered by the office. In administering the
36 program, the (~~board's~~) office's powers and duties shall include but
37 not be limited to:

1 ~~((1))~~ (a) Selecting students to receive scholarships, with the
2 assistance of a screening committee composed of persons involved in
3 helping American Indian students to obtain a higher education. The
4 membership of the committee may include, but is not limited to
5 representatives of: Indian tribes, urban Indians, the governor's
6 office of Indian affairs, the Washington state Indian education
7 association, and institutions of higher education;

8 ~~((2) Adopting necessary rules and guidelines;~~

9 ~~(3))~~ (b) Publicizing the program;

10 ~~((4))~~ (c) Accepting and depositing donations into the endowment
11 fund created in RCW 28B.108.060;

12 ~~((5))~~ (d) Requesting from the state investment board and
13 accepting from the state treasurer moneys earned from the endowment
14 fund created in RCW 28B.108.060;

15 ~~((6))~~ (e) Soliciting and accepting grants and donations from
16 public and private sources for the program; and

17 ~~((7))~~ (f) Naming scholarships in honor of those American Indians
18 from Washington who have acted as role models.

19 (2) The student achievement council shall adopt necessary rules and
20 guidelines for the American Indian endowed scholarship program.

21 **Sec. 609.** RCW 28B.117.030 and 2011 1st sp.s. c 11 s 221 are each
22 amended to read as follows:

23 (1) The office shall design and, to the extent funds are
24 appropriated for this purpose, implement, a program of supplemental
25 scholarship and student assistance for students who have emancipated
26 from the state foster care system after having spent at least one year
27 in care.

28 (2) The office shall convene and consult with an advisory committee
29 to assist with program design and implementation. The committee shall
30 include but not be limited to former foster care youth and their
31 advocates; representatives from the state board for community and
32 technical colleges, and from public and private agencies that assist
33 current and former foster care recipients in their transition to
34 adulthood; and student support specialists from public and private
35 colleges and universities.

36 (3) To the extent that sufficient funds have been appropriated for

1 this purpose, a student is eligible for assistance under this section
2 if he or she:

3 (a) Emancipated from foster care on or after January 1, 2007, after
4 having spent at least one year in foster care subsequent to his or her
5 sixteenth birthday;

6 (b) Is a resident student, as defined in RCW 28B.15.012(2);

7 (c) Is enrolled with or will enroll on at least a half-time basis
8 with an institution of higher education in Washington state by the age
9 of twenty-one;

10 (d) Is making satisfactory academic progress toward the completion
11 of a degree or certificate program, if receiving supplemental
12 scholarship assistance;

13 (e) Has not earned a bachelor's or professional degree; and

14 (f) Is not pursuing a degree in theology.

15 (4) A passport to college scholarship under this section:

16 (a) Shall not exceed resident undergraduate tuition and fees at the
17 highest-priced public institution of higher education in the state; and

18 (b) Shall not exceed the student's financial need, less a
19 reasonable self-help amount defined by the (~~board~~) office, when
20 combined with all other public and private grant, scholarship, and
21 waiver assistance the student receives.

22 (5) An eligible student may receive a passport to college
23 scholarship under this section for a maximum of five years after the
24 student first enrolls with an institution of higher education or until
25 the student turns age twenty-six, whichever occurs first. If a student
26 turns age twenty-six during an academic year, and would otherwise be
27 eligible for a scholarship under this section, the student shall
28 continue to be eligible for a scholarship for the remainder of the
29 academic year.

30 (6) The office, in consultation with and with assistance from the
31 state board for community and technical colleges, shall perform an
32 annual analysis to verify that those institutions of higher education
33 at which students have received a scholarship under this section have
34 awarded the student all available need-based and merit-based grant and
35 scholarship aid for which the student qualifies.

36 (7) In designing and implementing the passport to college student
37 support program under this section, the office, in consultation with

1 and with assistance from the state board for community and technical
2 colleges, shall ensure that a participating college or university:

3 (a) Has a viable plan for identifying students eligible for
4 assistance under this section, for tracking and enhancing their
5 academic progress, for addressing their unique needs for assistance
6 during school vacations and academic interims, and for linking them to
7 appropriate sources of assistance in their transition to adulthood;

8 (b) Receives financial and other incentives for achieving
9 measurable progress in the recruitment, retention, and graduation of
10 eligible students.

11 **PART VII**

12 **MISCELLANEOUS REFERENCES**

13 **Sec. 701.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
14 read as follows:

15 (1) The building fee for each academic year shall be a percentage
16 of total tuition fees. This percentage shall be calculated by the
17 (~~higher education coordinating board~~) office of financial management
18 and be based on the actual percentage the building fee is of total
19 tuition for each tuition category in the 1994-95 academic year, rounded
20 up to the nearest half percent.

21 (2) The governing boards of each institution of higher education,
22 except for the technical colleges, shall charge to and collect from
23 each student a services and activities fee. A governing board may
24 increase the existing fee annually, consistent with budgeting
25 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
26 the annual percentage increase in student tuition fees for resident
27 undergraduate students: PROVIDED, That such percentage increase shall
28 not apply to that portion of the services and activities fee previously
29 committed to the repayment of bonded debt. These rate adjustments may
30 exceed the fiscal growth factor. For the 2003-04 academic year, the
31 services and activities fee shall be based upon the resident
32 undergraduate services and activities fee in 2002-03. The services and
33 activities fee committee provided for in RCW 28B.15.045 may initiate a
34 request to the governing board for a fee increase.

35 (3) Tuition and services and activities fees consistent with
36 subsection (2) of this section shall be set by the state board for

1 community and technical colleges for community college summer school
2 students unless the community college charges fees in accordance with
3 RCW 28B.15.515.

4 (4) Subject to the limitations of RCW 28B.15.910, each governing
5 board of a community college may charge such fees for ungraded courses,
6 noncredit courses, community services courses, and self-supporting
7 courses as it, in its discretion, may determine, consistent with the
8 rules of the state board for community and technical colleges.

9 (5) The governing board of a college offering an applied
10 baccalaureate degree program under RCW 28B.50.810 may charge tuition
11 fees for those courses above the associate degree level at rates
12 consistent with rules adopted by the state board for community and
13 technical colleges, not to exceed tuition fee rates at the regional
14 universities.

15 **Sec. 702.** RCW 28A.600.310 and 2011 1st sp.s. c 10 s 10 are each
16 amended to read as follows:

17 (1) Eleventh and twelfth grade students or students who have not
18 yet received the credits required for the award of a high school
19 diploma and are eligible to be in the eleventh or twelfth grades may
20 apply to a participating institution of higher education to enroll in
21 courses or programs offered by the institution of higher education. A
22 student receiving home-based instruction enrolling in a public high
23 school for the sole purpose of participating in courses or programs
24 offered by institutions of higher education shall not be counted by the
25 school district in any required state or federal accountability
26 reporting if the student's parents or guardians filed a declaration of
27 intent to provide home-based instruction and the student received home-
28 based instruction during the school year before the school year in
29 which the student intends to participate in courses or programs offered
30 by the institution of higher education. Students receiving home-based
31 instruction under chapter 28A.200 RCW and students attending private
32 schools approved under chapter 28A.195 RCW shall not be required to
33 meet the student learning goals, obtain a certificate of academic
34 achievement or a certificate of individual achievement to graduate from
35 high school, or to master the essential academic learning requirements.
36 However, students are eligible to enroll in courses or programs in
37 participating universities only if the board of directors of the

1 student's school district has decided to participate in the program.
2 Participating institutions of higher education, in consultation with
3 school districts, may establish admission standards for these students.
4 If the institution of higher education accepts a secondary school pupil
5 for enrollment under this section, the institution of higher education
6 shall send written notice to the pupil and the pupil's school district
7 within ten days of acceptance. The notice shall indicate the course
8 and hours of enrollment for that pupil.

9 (2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020
10 and 28B.15.041:

11 (i) Running start students shall pay to the community or technical
12 college all other mandatory fees as established by each community or
13 technical college and, in addition, the state board for community and
14 technical colleges may authorize a fee of up to ten percent of tuition
15 and fees as defined in RCW 28B.15.020 and 28B.15.041; and

16 (ii) All other institutions of higher education operating a running
17 start program may charge running start students a fee of up to ten
18 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041
19 in addition to technology fees.

20 (b) The fees charged under this subsection (2) shall be prorated
21 based on credit load.

22 (3)(a) The institutions of higher education must make available fee
23 waivers for low-income running start students. Each institution must
24 establish a written policy for the determination of low-income students
25 before offering the fee waiver. A student shall be considered low
26 income and eligible for a fee waiver upon proof that the student is
27 currently qualified to receive free or reduced-price lunch. Acceptable
28 documentation of low-income status may also include, but is not limited
29 to, documentation that a student has been deemed eligible for free or
30 reduced-price lunches in the last five years, or other criteria
31 established in the institution's policy.

32 (b) Institutions of higher education, in collaboration with
33 relevant student associations, shall aim to have students who can
34 benefit from fee waivers take advantage of these waivers. Institutions
35 shall make every effort to communicate to students and their families
36 the benefits of the waivers and provide assistance to students and
37 their families on how to apply. Information about waivers shall, to
38 the greatest extent possible, be incorporated into financial aid

1 counseling, admission information, and individual billing statements.
2 Institutions also shall, to the greatest extent possible, use all means
3 of communication, including but not limited to web sites, online
4 catalogues, admission and registration forms, mass e-mail messaging,
5 social media, and outside marketing to ensure that information about
6 waivers is visible, compelling, and reaches the maximum number of
7 students and families that can benefit.

8 (4) The pupil's school district shall transmit to the institution
9 of higher education an amount per each full-time equivalent college
10 student at statewide uniform rates for vocational and nonvocational
11 students. The superintendent of public instruction shall separately
12 calculate and allocate moneys appropriated for basic education under
13 RCW 28A.150.260 to school districts for purposes of making such
14 payments and for granting school districts seven percent thereof to
15 offset program related costs. The calculations and allocations shall
16 be based upon the estimated statewide annual average per full-time
17 equivalent high school student allocations under RCW 28A.150.260,
18 excluding small high school enhancements, and applicable rules adopted
19 under chapter 34.05 RCW. The superintendent of public instruction,
20 (~~the higher education coordinating board~~) participating institutions
21 of higher education, and the state board for community and technical
22 colleges shall consult on the calculation and distribution of the
23 funds. The funds received by the institution of higher education from
24 the school district shall not be deemed tuition or operating fees and
25 may be retained by the institution of higher education. A student
26 enrolled under this subsection shall be counted for the purpose of
27 meeting enrollment targets in accordance with terms and conditions
28 specified in the omnibus appropriations act.

29 (5) The state board for community and technical colleges, in
30 collaboration with the other institutions of higher education that
31 participate in the running start program and the office of the
32 superintendent of public instruction, shall identify, assess, and
33 report on alternatives for providing ongoing and adequate financial
34 support for the program. Such alternatives shall include but are not
35 limited to student tuition, increased support from local school
36 districts, and reallocation of existing state financial support among
37 the community and technical college system to account for differential
38 running start enrollment levels and impacts. The state board for

1 community and technical colleges shall report the assessment of
2 alternatives to the governor and to the appropriate fiscal and policy
3 committees of the legislature by September 1, 2010.

4 **Sec. 703.** RCW 28B.15.380 and 2010 c 261 s 4 are each amended to
5 read as follows:

6 Subject to the limitations of RCW 28B.15.910, the governing boards
7 of the state universities, the regional universities, and The Evergreen
8 State College shall exempt the following students from the payment of
9 all tuition fees and services and activities fees:

10 (1) Children of any law enforcement officer as defined in chapter
11 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or
12 Washington state patrol officer who lost his or her life or became
13 totally disabled in the line of duty while employed by any public law
14 enforcement agency or full time or volunteer fire department in this
15 state: PROVIDED, That such persons may receive the exemption only if
16 they begin their course of study at a state-supported college or
17 university within ten years of their graduation from high school; and

18 (2) Surviving spouses of any law enforcement officer as defined in
19 chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24
20 RCW, or Washington state patrol officer who lost his or her life or
21 became totally disabled in the line of duty while employed by any
22 public law enforcement agency or full time or volunteer fire department
23 in this state.

24 (3) The governing boards of the state universities, the regional
25 universities, and The Evergreen State College shall report to the
26 (~~higher education coordinating board~~) education data center on the
27 annual cost of tuition fees and services and activities fees waived for
28 surviving spouses and children under this section. The (~~higher
29 education coordinating board~~) education data center shall consolidate
30 the reports of the waived fees and annually report to the appropriate
31 fiscal and policy committees of the legislature.

32 **Sec. 704.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
33 to read as follows:

34 Subject to the limitations of RCW 28B.15.910, the state board for
35 community and technical colleges and the governing boards of the state
36 universities, the regional universities, the community colleges, and

1 The Evergreen State College may waive all or a portion of the
2 nonresident tuition fees differential for residents of Oregon, upon
3 completion of and to the extent permitted by an agreement between the
4 governing boards of the respective individual institutions of higher
5 education ((~~coordinating board~~)) or the state board for community and
6 technical colleges and appropriate officials and agencies in Oregon
7 granting similar waivers for residents of the state of Washington.

8 **Sec. 705.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to
9 read as follows:

10 The ((~~higher education coordinating board~~)) governing boards of the
11 state universities, the regional universities, and The Evergreen State
12 College, and the state board for community and technical colleges may
13 enter into an agreement with appropriate officials or agencies in
14 Oregon to implement the provisions of RCW 28B.15.730 through
15 28B.15.734.

16 **Sec. 706.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
17 to read as follows:

18 Subject to the limitations of RCW 28B.15.910, the governing boards
19 of the state universities, the regional universities, and The Evergreen
20 State College and the state board for community and technical colleges
21 may waive all or a portion of the nonresident tuition fees differential
22 for residents of Idaho, upon completion of and to the extent permitted
23 by an agreement between the governing boards of the individual
24 institutions of higher education ((~~coordinating board~~)) or the state
25 board for community and technical colleges and appropriate officials
26 and agencies in Idaho granting similar waivers for residents of the
27 state of Washington.

28 **Sec. 707.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
29 to read as follows:

30 Subject to the limitations of RCW 28B.15.910, the governing boards
31 of the state universities, the regional universities, and The Evergreen
32 State College and the state board for community and technical colleges
33 may waive all or a portion of the nonresident tuition fees differential
34 for residents of the Canadian province of British Columbia, upon
35 completion of and to the extent permitted by an agreement between the

1 governing boards of the individual institutions of higher education
2 ~~((coordinating board))~~ or the state board for community and technical
3 colleges and appropriate officials and agencies in the Canadian
4 province of British Columbia providing for enrollment opportunities for
5 residents of the state of Washington without payment of tuition or fees
6 in excess of those charged to residents of British Columbia.

7 **Sec. 708.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are
8 each reenacted and amended to read as follows:

9 (1) The Washington state economic development commission shall,
10 with the advice of an innovation partnership advisory group selected by
11 the commission:

12 (a) Provide information and advice to the department of commerce to
13 assist in the implementation of the innovation partnership zone
14 program, including criteria to be used in the selection of grant
15 applicants for funding;

16 (b) Document clusters of companies throughout the state that have
17 comparative competitive advantage or the potential for comparative
18 competitive advantage, using the process and criteria for identifying
19 strategic clusters developed by the working group specified in
20 subsection (2) of this section;

21 (c) Conduct an innovation opportunity analysis to identify (i) the
22 strongest current intellectual assets and research teams in the state
23 focused on emerging technologies and their commercialization, and (ii)
24 faculty and researchers that could increase their focus on
25 commercialization of technology if provided the appropriate technical
26 assistance and resources;

27 (d) Based on its findings and analysis, and in conjunction with the
28 ~~((higher education coordinating board and))~~ research institutions:

29 (i) Develop a plan to build on existing, and develop new,
30 intellectual assets and innovation research teams in the state in
31 research areas where there is a high potential to commercialize
32 technologies. The commission shall present the plan to the governor
33 and legislature by December 31, 2009. The ~~((higher education~~
34 ~~coordinating board))~~ publicly funded research institutions in the state
35 shall be responsible for implementing the plan ~~((in conjunction with~~
36 ~~the publicly funded research institutions in the state))~~. The plan

1 shall address the following elements and such other elements as the
2 commission deems important:

3 (A) Specific mechanisms to support, enhance, or develop innovation
4 research teams and strengthen their research and commercialization
5 capacity in areas identified as useful to strategic clusters and
6 innovative firms in the state;

7 (B) Identification of the funding necessary for laboratory
8 infrastructure needed to house innovation research teams;

9 (C) Specification of the most promising research areas meriting
10 enhanced resources and recruitment of significant entrepreneurial
11 researchers to join or lead innovation research teams;

12 (D) The most productive approaches to take in the recruitment, in
13 the identified promising research areas, of a minimum of ten
14 significant entrepreneurial researchers over the next ten years to join
15 or lead innovation research teams;

16 (E) Steps to take in solicitation of private sector support for the
17 recruitment of entrepreneurial researchers and the commercialization
18 activity of innovation research teams; and

19 (F) Mechanisms for ensuring the location of innovation research
20 teams in innovation partnership zones;

21 (ii) Provide direction for the development of comprehensive
22 entrepreneurial assistance programs at research institutions. The
23 programs may involve multidisciplinary students, faculty,
24 entrepreneurial researchers, entrepreneurs, and investors in building
25 business models and evolving business plans around innovative ideas.
26 The programs may provide technical assistance and the support of an
27 entrepreneur-in-residence to innovation research teams and offer
28 entrepreneurial training to faculty, researchers, undergraduates, and
29 graduate students. Curriculum leading to a certificate in
30 entrepreneurship may also be offered;

31 (e) Develop performance measures to be used in evaluating the
32 performance of innovation research teams, the implementation of the
33 plan and programs under (d)(i) and (ii) of this subsection, and the
34 performance of innovation partnership zone grant recipients, including
35 but not limited to private investment measures, business initiation
36 measures, job creation measures, and measures of innovation such as
37 licensing of ideas in research institutions, patents, or other
38 recognized measures of innovation. The performance measures developed

1 shall be consistent with the economic development commission's
2 comprehensive plan for economic development and its standards and
3 metrics for program evaluation. The commission shall report to the
4 legislature and the governor by June 30, 2009, on the measures
5 developed; and

6 (f) Using the performance measures developed, perform a biennial
7 assessment and report, the first of which shall be due December 31,
8 2012, on:

9 (i) Commercialization of technologies developed at state
10 universities, found at other research institutions in the state, and
11 facilitated with public assistance at existing companies;

12 (ii) Outcomes of the funding of innovation research teams and
13 recruitment of significant entrepreneurial researchers;

14 (iii) Comparison with other states of Washington's outcomes from
15 the innovation research teams and efforts to recruit significant
16 entrepreneurial researchers; and

17 (iv) Outcomes of the grants for innovation partnership zones.
18 The report shall include recommendations for modifications of chapter
19 227, Laws of 2007 and of state commercialization efforts that would
20 enhance the state's economic competitiveness.

21 (2) The economic development commission and the workforce training
22 and education coordinating board shall jointly convene a working group
23 to:

24 (a) Specify the process and criteria for identification of substate
25 geographic concentrations of firms or employment in an industry and the
26 industry's customers, suppliers, supporting businesses, and
27 institutions, which process will include the use of labor market
28 information from the employment security department and local labor
29 markets; and

30 (b) Establish criteria for identifying strategic clusters which are
31 important to economic prosperity in the state, considering cluster
32 size, growth rate, and wage levels among other factors.

33 **PART VIII**
34 **DELETED REFERENCES**

35 **Sec. 801.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to
36 read as follows:

1 (1) The superintendent of public instruction, the state board for
2 community and technical colleges, (~~the higher education coordinating~~
3 ~~board,~~) and the public baccalaureate institutions shall jointly
4 develop and each adopt rules governing the college in the high school
5 program. The association of Washington school principals shall be
6 consulted during the rules development. The rules shall be written to
7 encourage the maximum use of the program and may not narrow or limit
8 the enrollment options.

9 (2) College in the high school programs shall each be governed by
10 a local contract between the district and the institution of higher
11 education, in compliance with the guidelines adopted by the
12 superintendent of public instruction, the state board for community and
13 technical colleges, and the public baccalaureate institutions.

14 (3) The college in the high school program must include the
15 provisions in this subsection.

16 (a) The high school and institution of higher education together
17 shall define the criteria for student eligibility. The institution of
18 higher education may charge tuition fees to participating students.

19 (b) School districts shall report no student for more than one
20 full-time equivalent including college in the high school courses.

21 (c) The funds received by the institution of higher education may
22 not be deemed tuition or operating fees and may be retained by the
23 institution of higher education.

24 (d) Enrollment information on persons registered under this section
25 must be maintained by the institution of higher education separately
26 from other enrollment information and may not be included in official
27 enrollment reports, nor may such persons be considered in any
28 enrollment statistics that would affect higher education budgetary
29 determinations.

30 (e) A school district must grant high school credit to a student
31 enrolled in a program course if the student successfully completes the
32 course. If no comparable course is offered by the school district, the
33 school district superintendent shall determine how many credits to
34 award for the course. The determination shall be made in writing
35 before the student enrolls in the course. The credits shall be applied
36 toward graduation requirements and subject area requirements. Evidence
37 of successful completion of each program course shall be included in
38 the student's secondary school records and transcript.

1 (f) An institution of higher education must grant college credit to
2 a student enrolled in a program course if the student successfully
3 completes the course. The college credit shall be applied toward
4 general education requirements or major requirements. If no comparable
5 course is offered by the college, the institution of higher education
6 at which the teacher of the program course is employed shall determine
7 how many credits to award for the course and whether the course
8 fulfills general education or major requirements. Evidence of
9 successful completion of each program course must be included in the
10 student's college transcript.

11 (g) Eleventh and twelfth grade students or students who have not
12 yet received a high school diploma or its equivalent and are eligible
13 to be in the eleventh or twelfth grades may participate in the college
14 in the high school program.

15 (h) Participating school districts must provide general information
16 about the college in the high school program to all students in grades
17 ten, eleven, and twelve and to the parents and guardians of those
18 students.

19 (i) Full-time and part-time faculty at institutions of higher
20 education, including adjunct faculty, are eligible to teach program
21 courses.

22 (4) The definitions in this subsection apply throughout this
23 section.

24 (a) "Institution of higher education" has the meaning in RCW
25 28B.10.016 and also includes a public tribal college located in
26 Washington and accredited by the Northwest commission on colleges and
27 universities or another accrediting association recognized by the
28 United States department of education.

29 (b) "Program course" means a college course offered in a high
30 school under the college in the high school program.

31 **Sec. 802.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to
32 read as follows:

33 (1) The office of the superintendent of public instruction, in
34 consultation with the workforce training and education coordinating
35 board, the Washington state apprenticeship and training council, and
36 the state board for community and technical colleges, shall develop a
37 list of statewide high-demand programs for secondary career and

1 technical education. The list shall be developed using the high-demand
2 list maintained by workforce development councils in consultation with
3 the employment security department, and the high employer demand
4 programs of study identified by the workforce training and education
5 coordinating board(~~(, and the high employer demand programs of study~~
6 ~~identified by the higher education coordinating board)~~). Local school
7 districts may recommend additional high-demand programs in consultation
8 with local career and technical education advisory committees by
9 submitting evidence of local high demand.

10 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,
11 and 28A.700.060, and section 307 of this act:

12 (a) "High-demand program" means a career and technical education
13 program that prepares students for either a high employer demand
14 program of study or a high-demand occupation, or both.

15 (b) "High employer demand program of study" means an apprenticeship
16 or an undergraduate or graduate certificate or degree program in which
17 the number of students per year prepared for employment from in-state
18 programs is substantially fewer than the number of projected job
19 openings per year in that field, either statewide or in a substate
20 region.

21 (c) "High-demand occupation" means an occupation with a substantial
22 number of current or projected employment opportunities.

23 **Sec. 803.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to
24 read as follows:

25 (1) The office of the superintendent of public instruction, the
26 workforce training and education coordinating board, the state board
27 for community and technical colleges, (~~(the — higher — education~~
28 ~~coordinating board,~~) and the council of presidents shall work with
29 local school districts, workforce education programs in colleges, tech
30 prep consortia, and four-year institutions of higher education to
31 develop model career and technical education programs of study as
32 described by this section.

33 (2) Career and technical education programs of study:

34 (a) Incorporate secondary and postsecondary education elements;

35 (b) Include coherent and rigorous academic content aligned with
36 state learning standards and relevant career and technical content in

1 a coordinated, nonduplicative progression of courses that are aligned
2 with postsecondary education in a related field;

3 (c) Include opportunities for students to earn dual high school and
4 college credit; and

5 (d) Lead to an industry-recognized credential or certificate at the
6 postsecondary level, or an associate or baccalaureate degree.

7 (3) During the 2008-09 school year, model career and technical
8 education programs of study shall be developed for the following
9 high-demand programs: Construction, health care, and information
10 technology. Each school year thereafter, the office of the
11 superintendent of public instruction, the state board for community and
12 technical colleges, (~~the higher education coordinating board,~~) and
13 the workforce training and education coordinating board shall select
14 additional programs of study to develop, with a priority on high-demand
15 programs as identified under RCW 28A.700.020.

16 **Sec. 804.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to
17 read as follows:

18 General powers and duties of the board of regents are as follows:

19 (1) To have full control of the university and its property of
20 various kinds, except as otherwise provided by law.

21 (2) To employ the president of the university, his or her
22 assistants, members of the faculty, and employees of the institution,
23 who except as otherwise provided by law, shall hold their positions
24 during the pleasure of said board of regents.

25 (3) Establish entrance requirements for students seeking admission
26 to the university which meet or exceed the standards specified under
27 (~~RCW 28B.76.290(2)~~) section 104 of this act. Completion of
28 examinations satisfactory to the university may be a prerequisite for
29 entrance by any applicant at the university's discretion. Evidence of
30 completion of public high schools and other educational institutions
31 whose courses of study meet the approval of the university may be
32 acceptable for entrance.

33 (4) Establish such colleges, schools, or departments necessary to
34 carry out the purpose of the university and not otherwise proscribed by
35 law.

36 (5) With the assistance of the faculty of the university, prescribe

1 the course of study in the various colleges, schools, and departments
2 of the institution and publish the necessary catalogues thereof.

3 (6) Grant to students such certificates or degrees as recommended
4 for such students by the faculty. The board, upon recommendation of
5 the faculty, may also confer honorary degrees upon persons other than
6 graduates of this university in recognition of their learning or
7 devotion to literature, art, or science: PROVIDED, That no degree
8 shall ever be conferred in consideration of the payment of money or the
9 giving of property of whatsoever kind.

10 (7) Accept such gifts, grants, conveyances, bequests, and devises,
11 whether real or personal property, or both, in trust or otherwise, for
12 the use or benefit of the university, its colleges, schools,
13 departments, or agencies; and sell, lease or exchange, invest or expend
14 the same or the proceeds, rents, profits, and income thereof except as
15 limited by the terms of said gifts, grants, conveyances, bequests, and
16 devises. The board shall adopt proper rules to govern and protect the
17 receipt and expenditure of the proceeds of all fees, and the proceeds,
18 rents, profits, and income of all gifts, grants, conveyances, bequests,
19 and devises above-mentioned.

20 (8) Except as otherwise provided by law, to enter into such
21 contracts as the regents deem essential to university purposes.

22 (9) To submit upon request such reports as will be helpful to the
23 governor and to the legislature in providing for the institution.

24 (10) (~~Subject to the approval of the higher education coordinating~~
25 ~~board pursuant to RCW 28B.76.230,~~) To offer new degree programs, offer
26 off-campus programs, participate in consortia or centers, contract for
27 off-campus educational programs, and purchase or lease major off-campus
28 facilities in accordance with RCW 28B.76.230 (as recodified by this
29 act).

30 (11) To confer honorary degrees upon persons who request an
31 honorary degree if they were students at the university in 1942 and did
32 not graduate because they were ordered into an internment camp. The
33 honorary degree may also be requested by a representative of deceased
34 persons who meet these requirements. For the purposes of this
35 subsection, "internment camp" means a relocation center to which
36 persons were ordered evacuated by Presidential Executive Order 9066,
37 signed February 19, 1942.

1 **Sec. 805.** RCW 28B.30.150 and 2010 c 51 s 2 are each amended to
2 read as follows:

3 The regents of Washington State University, in addition to other
4 duties prescribed by law, shall:

5 (1) Have full control of the university and its property of various
6 kinds, except as otherwise provided by law.

7 (2) Employ the president of the university, his or her assistants,
8 members of the faculty, and employees of the university, who, except as
9 otherwise provided by law, shall hold their positions during the
10 pleasure of said board of regents.

11 (3) Establish entrance requirements for students seeking admission
12 to the university which meet or exceed the standards specified under
13 (~~RCW 28B.76.290(2)~~) section 104 of this act. Completion of
14 examinations satisfactory to the university may be a prerequisite for
15 entrance by any applicant, at the university's discretion. Evidence of
16 completion of public high schools and other educational institutions
17 whose courses of study meet the approval of the university may be
18 acceptable for entrance.

19 (4) Establish such colleges, schools, or departments necessary to
20 carry out the purpose of the university and not otherwise proscribed by
21 law.

22 (5) (~~Subject to the approval of the higher education coordinating~~
23 ~~board pursuant to RCW 28B.76.230,~~) Offer new degree programs, offer
24 off-campus programs, participate in consortia or centers, contract for
25 off-campus educational programs, and purchase or lease major off-campus
26 facilities in accordance with RCW 28B.76.230 (as recodified by this
27 act).

28 (6) With the assistance of the faculty of the university, prescribe
29 the courses of instruction in the various colleges, schools, and
30 departments of the institution and publish the necessary catalogues
31 thereof.

32 (7) Collect such information as the board deems desirable as to the
33 schemes of technical instruction adopted in other parts of the United
34 States and foreign countries.

35 (8) Provide for holding agricultural institutes including farm
36 marketing forums.

37 (9) Provide that instruction given in the university, as far as

1 practicable, be conveyed by means of laboratory work and provide in
2 connection with the university one or more physical, chemical, and
3 biological laboratories, and suitably furnish and equip the same.

4 (10) Provide training in military tactics for those students
5 electing to participate therein.

6 (11) Establish a department of elementary science and in connection
7 therewith provide instruction in elementary mathematics, including
8 elementary trigonometry, elementary mechanics, elementary and
9 mechanical drawing, and land surveying.

10 (12) Establish a department of agriculture and in connection
11 therewith provide instruction in physics with special application of
12 its principles to agriculture, chemistry with special application of
13 its principles to agriculture, morphology and physiology of plants with
14 special reference to common grown crops and fungus enemies, morphology
15 and physiology of the lower forms of animal life, with special
16 reference to insect pests, morphology and physiology of the higher
17 forms of animal life and in particular of the horse, cow, sheep, and
18 swine, agriculture with special reference to the breeding and feeding
19 of livestock and the best mode of cultivation of farm produce, and
20 mining and metallurgy, appointing demonstrators in each of these
21 subjects to superintend the equipment of a laboratory and to give
22 practical instruction therein.

23 (13) Establish agricultural experiment stations in connection with
24 the department of agriculture, including at least one in the western
25 portion of the state, and appoint the officers and prescribe
26 regulations for their management.

27 (14) Grant to students such certificates or degrees, as recommended
28 for such students by the faculty.

29 (15) Confer honorary degrees upon persons other than graduates of
30 the university in recognition of their learning or devotion to
31 literature, art, or science when recommended thereto by the faculty:
32 PROVIDED, That no degree shall ever be conferred in consideration of
33 the payment of money or the giving of property of whatsoever kind.

34 (16) Adopt plans and specifications for university buildings and
35 facilities or improvements thereto and employ skilled architects and
36 engineers to prepare such plans and specifications and supervise the
37 construction of buildings or facilities which the board is authorized
38 to erect, and fix the compensation for such services. The board shall

1 enter into contracts with one or more contractors for such suitable
2 buildings, facilities, or improvements as the available funds will
3 warrant, upon the most advantageous terms offered at a public
4 competitive letting, pursuant to public notice under rules established
5 by the board. The board shall require of all persons with whom they
6 contract for construction and improvements a good and sufficient bond
7 for the faithful performance of the work and full protection against
8 all liens.

9 (17) Except as otherwise provided by law, direct the disposition of
10 all money appropriated to or belonging to the state university.

11 (18) Receive and expend the money appropriated under the act of
12 congress approved May 8, 1914, entitled "An Act to provide for
13 cooperative agricultural extension work between the agricultural
14 colleges in the several States receiving the benefits of the Act of
15 Congress approved July 2, 1862, and Acts supplemental thereto and the
16 United States Department of Agriculture" and organize and conduct
17 agricultural extension work in connection with the state university in
18 accordance with the terms and conditions expressed in the acts of
19 congress.

20 (19) Except as otherwise provided by law, to enter into such
21 contracts as the regents deem essential to university purposes.

22 (20) Acquire by lease, gift, or otherwise, lands necessary to
23 further the work of the university or for experimental or
24 demonstrational purposes.

25 (21) Establish and maintain at least one agricultural experiment
26 station in an irrigation district to conduct investigational work upon
27 the principles and practices of irrigational agriculture including the
28 utilization of water and its relation to soil types, crops, climatic
29 conditions, ditch and drain construction, fertility investigations,
30 plant disease, insect pests, marketing, farm management, utilization of
31 fruit by-products, and general development of agriculture under
32 irrigation conditions.

33 (22) Supervise and control the agricultural experiment station at
34 Puyallup.

35 (23) Establish and maintain at Wenatchee an agricultural experiment
36 substation for the purpose of conducting investigational work upon the
37 principles and practices of orchard culture, spraying, fertilization,

1 pollenization, new fruit varieties, fruit diseases and pests, by-
2 products, marketing, management, and general horticultural problems.

3 (24) Accept such gifts, grants, conveyances, devises, and bequests,
4 whether real or personal property, in trust or otherwise, for the use
5 or benefit of the university, its colleges, schools, or departments;
6 and sell, lease or exchange, invest or expend the same or the proceeds,
7 rents, profits, and income thereof except as limited by the terms of
8 said gifts, grants, conveyances, bequests, and devises; and adopt
9 proper rules to govern and protect the receipt and expenditure of the
10 proceeds of all fees, and the proceeds, rents, profits, and income of
11 all gifts, grants, conveyances, bequests, and devises.

12 (25) Construct when the board so determines a new foundry and a
13 mining, physical, technological building, and fabrication shop at the
14 university, or add to the present foundry and other buildings, in order
15 that both instruction and research be expanded to include permanent
16 molding and die casting with a section for new fabricating techniques,
17 especially for light metals, including magnesium and aluminum; purchase
18 equipment for the shops and laboratories in mechanical, electrical, and
19 civil engineering; establish a pilot plant for the extraction of
20 alumina from native clays and other possible light metal research;
21 purchase equipment for a research laboratory for technological research
22 generally; and purchase equipment for research in electronics,
23 instrumentation, energy sources, plastics, food technology, mechanics
24 of materials, hydraulics, and similar fields.

25 (26) Make and transmit to the governor and members of the
26 legislature upon request such reports as will be helpful in providing
27 for the institution.

28 (27) Confer honorary degrees upon persons who request an honorary
29 degree if they were students at the university in 1942 and did not
30 graduate because they were ordered into an internment camp. The
31 honorary degree may also be requested by a representative of deceased
32 persons who meet these requirements. For the purposes of this
33 subsection, "internment camp" means a relocation center to which
34 persons were ordered evacuated by Presidential Executive Order 9066,
35 signed February 19, 1942.

36 **Sec. 806.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to
37 read as follows:

1 (1) A global Asia institute is created within the Henry M. Jackson
2 School of International Studies. The mission of the institute is to
3 promote the understanding of Asia and its interactions with Washington
4 state and the world. The institute shall host visiting scholars and
5 policymakers, sponsor programs and learning initiatives, engage in
6 collaborative research projects, and facilitate broader understanding
7 and cooperation between the state of Washington and Asia through
8 general public programs and targeted collaborations with specific
9 communities in the state.

10 (2) Within existing resources, a global Asia institute advisory
11 board is established. The director of the Henry M. Jackson School of
12 International Studies shall appoint members of the advisory board and
13 determine the advisory board's roles and responsibilities. The board
14 shall include members representing academia, business, and government.

15 ~~((3) The higher education coordinating board may solicit, accept,~~
16 ~~receive, and administer federal funds or private funds, in trust or~~
17 ~~otherwise, and contract with foundations or with for-profit or~~
18 ~~nonprofit organizations to support the purposes of this section.))~~

19 **Sec. 807.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to
20 read as follows:

21 ~~((1))~~ A University of Washington center for human rights is
22 created. The mission of the center is to expand opportunities for
23 Washington residents to receive a world-class education in human
24 rights, generate research data and expert knowledge to enhance public
25 and private policymaking, and become an academic center for human
26 rights teaching and research in the nation. The center shall align
27 with the founding principles and philosophies of the United States of
28 America and engage faculty, staff, and students in service to enhance
29 the promise of life and liberty as outlined in the Preamble of the
30 United States Constitution. Key substantive issues for the center
31 include: The rights of all persons to security against violence; the
32 rights of immigrants, native Americans, and ethnic or religious
33 minorities; human rights and the environment; health as a human right;
34 human rights and trade; the human rights of working people; and women's
35 rights as human rights. State funds may not be used to support the
36 center for human rights created in this section.

1 (~~(2) The higher education coordinating board and the University of
2 Washington may solicit, accept, receive, and administer federal funds
3 or private funds, in trust or otherwise, and contract with foundations
4 or with for-profit or nonprofit organizations to support the purposes
5 of this section.~~)

6 **Sec. 808.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to
7 read as follows:

8 (1) The board of regents of Washington State University shall
9 establish the Washington State University small business development
10 center.

11 (2) The center shall provide management and technical assistance
12 including but not limited to training, counseling, and research
13 services to small businesses throughout the state. The center shall
14 work with the department of commerce, the state board for community and
15 technical colleges, (~~the higher education coordinating board,~~) the
16 workforce training and education coordinating board, the employment
17 security department, the Washington state economic development
18 commission, associate development organizations, and workforce
19 development councils to:

20 (a) Integrate small business development centers with other state
21 and local economic development and workforce development programs;

22 (b) Target the centers' services to small businesses;

23 (c) Tailor outreach and services at each center to the needs and
24 demographics of entrepreneurs and small businesses located within the
25 service area;

26 (d) Establish and expand small business development center
27 satellite offices when financially feasible; and

28 (e) Coordinate delivery of services to avoid duplication.

29 (3) The administrator of the center may contract with other public
30 or private entities for the provision of specialized services.

31 (4) The small business development center may accept and disburse
32 federal grants or federal matching funds or other funds or donations
33 from any source when made, granted, or donated to carry out the
34 center's purposes. When drawing on funds from the business assistance
35 account created in RCW 28B.30.531, the center must first use the funds
36 to make increased management and technical assistance available to
37 existing small businesses and start-up businesses at satellite offices.

1 The funds may also be used to develop and expand assistance programs
2 such as small business planning workshops and small business
3 counseling.

4 (5) By December 1, 2010, the center shall provide a written
5 progress report and a final report to the appropriate committees of the
6 legislature with respect to the requirements in subsection (2) of this
7 section and the amount and use of funding received through the business
8 assistance account. The reports must also include data on the number,
9 location, staffing, and budget levels of satellite offices;
10 affiliations with community colleges, associate development
11 organizations or other local organizations; the number, size, and type
12 of small businesses assisted; and the types of services provided. The
13 reports must also include information on the outcomes achieved, such as
14 jobs created or retained, private capital invested, and return on the
15 investment of state and federal dollars.

16 (6)(a) Subject to the availability of amounts appropriated for this
17 specific purpose, by December 1, 2010, the center, in conjunction with
18 the department of commerce, must prepare and present to the governor
19 and appropriate legislative committees a specific, actionable plan to
20 increase access to capital and technical assistance to small businesses
21 and entrepreneurs beginning with the 2011-2013 biennium. In developing
22 the plan, the center and the department may consult with the Washington
23 state microenterprise association, and with other government,
24 nonprofit, and private organizations as necessary. The plan must
25 identify:

26 (i) Existing sources of capital and technical assistance for small
27 businesses and entrepreneurs;

28 (ii) Critical gaps and barriers to availability of capital and
29 delivery of technical assistance to small businesses and entrepreneurs;

30 (iii) Workable solutions to filling the gaps and removing barriers
31 identified in (a)(ii) of this subsection; and

32 (iv) The financial resources and statutory changes necessary to put
33 the plan into effect beginning with the 2011-2013 biennium.

34 (b) With respect to increasing access to capital, the plan must
35 identify specific, feasible sources of capital and practical mechanisms
36 for expanding access to it.

37 (c) The center and the department must include, within the analysis

1 and recommendations in (a) of this subsection, any specific gaps,
2 barriers, and solutions related to rural and low-income communities and
3 small manufacturers interested in exporting.

4 **Sec. 809.** RCW 28B.35.120 and 2011 c 336 s 728 are each amended to
5 read as follows:

6 In addition to any other powers and duties prescribed by law, each
7 board of trustees of the respective regional universities:

8 (1) Shall have full control of the regional university and its
9 property of various kinds, except as otherwise provided by law.

10 (2) Shall employ the president of the regional university, his or
11 her assistants, members of the faculty, and other employees of the
12 institution, who, except as otherwise provided by law, shall hold their
13 positions, until discharged therefrom by the board for good and lawful
14 reason.

15 (3) With the assistance of the faculty of the regional university,
16 shall prescribe the course of study in the various schools and
17 departments thereof and publish such catalogues thereof as the board
18 deems necessary: PROVIDED, That the Washington professional educator
19 standards board shall determine the requisites for and give program
20 approval of all courses leading to teacher certification by such board.

21 (4) May establish such divisions, schools, or departments necessary
22 to carry out the purposes of the regional university and not otherwise
23 proscribed by law.

24 (5) Except as otherwise provided by law, may establish and erect
25 such new facilities as determined by the board to be necessary for the
26 regional university.

27 (6) May acquire real and other property as provided in RCW
28 28B.10.020, as now or hereafter amended.

29 (7) Except as otherwise provided by law, may purchase all supplies
30 and purchase or lease equipment and other personal property needed for
31 the operation or maintenance of the regional university.

32 (8) May establish, lease, operate, equip, and maintain self-
33 supporting facilities in the manner provided in RCW 28B.10.300 through
34 28B.10.330, as now or hereafter amended.

35 (9) Except as otherwise provided by law, (~~to~~) shall enter into
36 such contracts as the trustees deem essential to regional university
37 purposes.

1 (10) May receive such gifts, grants, conveyances, devises, and
2 bequests of real or personal property from whatsoever source, as may be
3 made from time to time, in trust or otherwise, whenever the terms and
4 conditions thereof will aid in carrying out the regional university
5 programs; sell, lease, or exchange, invest or expend the same or the
6 proceeds, rents, profits, and income thereof except as limited by the
7 terms and conditions thereof; and adopt regulations to govern the
8 receipt and expenditure of the proceeds, rents, profits, and income
9 thereof.

10 (11) (~~Subject to the approval of the higher education coordinating~~
11 ~~board pursuant to~~) In accordance with RCW 28B.76.230 (as recodified by
12 this act), may offer new degree programs, offer off-campus programs,
13 participate in consortia or centers, contract for off-campus
14 educational programs, and purchase or lease major off-campus
15 facilities.

16 (12) May promulgate such rules and regulations, and perform all
17 other acts not forbidden by law, as the board of trustees may in its
18 discretion deem necessary or appropriate to the administration of the
19 regional university.

20 **Sec. 810.** RCW 28B.35.202 and 2011 c 136 s 1 are each amended to
21 read as follows:

22 The board of trustees of Eastern Washington University may offer
23 educational specialist degrees (~~subject to review and approval by the~~
24 ~~higher education coordinating board~~)).

25 **Sec. 811.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to
26 read as follows:

27 (1) In addition to all other powers and duties given to them by
28 law, Central Washington University, Eastern Washington University, and
29 Western Washington University are hereby authorized to grant any degree
30 through the master's degree to any student who has completed a program
31 of study and/or research in those areas which are determined by the
32 faculty and board of trustees of the college to be appropriate for the
33 granting of such degree(~~PROVIDED, That before any degree is~~
34 ~~authorized under this section it shall be subject to the review and~~
35 ~~approval of the higher education coordinating board~~)).

1 (2) The board of trustees, upon recommendation of the faculty, may
2 also confer honorary bachelor's, master's, or doctorate level degrees
3 upon persons in recognition of their learning or devotion to education,
4 literature, art, or science. No degree may be conferred in
5 consideration of the payment of money or the donation of any kind of
6 property.

7 (3) The board of trustees may also confer honorary degrees upon
8 persons who request an honorary degree if they were students at the
9 university in 1942 and did not graduate because they were ordered into
10 an internment camp. The honorary degree may also be requested by a
11 representative of deceased persons who meet these requirements. For
12 the purposes of this subsection, "internment camp" means a relocation
13 center to which persons were ordered evacuated by Presidential
14 Executive Order 9066, signed February 19, 1942.

15 **Sec. 812.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to
16 read as follows:

17 The board of trustees of Eastern Washington University may offer
18 applied, but not research, doctorate level degrees in physical therapy
19 subject to review (~~(and approval by the higher education coordinating~~
20 ~~board)~~).

21 **Sec. 813.** RCW 28B.40.120 and 2011 c 336 s 734 are each amended to
22 read as follows:

23 In addition to any other powers and duties prescribed by law, the
24 board of trustees of The Evergreen State College:

25 (1) Shall have full control of the state college and its property
26 of various kinds, except as otherwise provided by law.

27 (2) Shall employ the president of the state college, his or her
28 assistants, members of the faculty, and other employees of the
29 institution, who, except as otherwise provided by law, shall hold their
30 positions, until discharged therefrom by the board for good and lawful
31 reason.

32 (3) With the assistance of the faculty of the state college, shall
33 prescribe the course of study in the various schools and departments
34 thereof and publish such catalogues thereof as the board deems
35 necessary: PROVIDED, That the Washington professional educator

1 standards board shall determine the requisites for and give program
2 approval of all courses leading to teacher certification by such board.

3 (4) May establish such divisions, schools, or departments necessary
4 to carry out the purposes of the college and not otherwise proscribed
5 by law.

6 (5) Except as otherwise provided by law, may establish and erect
7 such new facilities as determined by the board to be necessary for the
8 college.

9 (6) May acquire real and other property as provided in RCW
10 28B.10.020, as now or hereafter amended.

11 (7) Except as otherwise provided by law, may purchase all supplies
12 and purchase or lease equipment and other personal property needed for
13 the operation or maintenance of the college.

14 (8) May establish, lease, operate, equip, and maintain self-
15 supporting facilities in the manner provided in RCW 28B.10.300 through
16 28B.10.330, as now or hereafter amended.

17 (9) Except as otherwise provided by law, ~~((to))~~ shall enter into
18 such contracts as the trustees deem essential to college purposes.

19 (10) May receive such gifts, grants, conveyances, devises, and
20 bequests of real or personal property from whatsoever source, as may be
21 made from time to time, in trust or otherwise, whenever the terms and
22 conditions thereof will aid in carrying out the college programs; sell,
23 lease, or exchange, invest or expend the same or the proceeds, rents,
24 profits, and income thereof except as limited by the terms and
25 conditions thereof; and adopt regulations to govern the receipt and
26 expenditure of the proceeds, rents, profits, and income thereof.

27 ~~((Subject to the approval of the higher education coordinating
28 board pursuant to))~~ In accordance with RCW 28B.76.230 (as recodified by
29 this act), may offer new degree programs, offer off-campus programs,
30 participate in consortia or centers, contract for off-campus
31 educational programs, and purchase or lease major off-campus
32 facilities.

33 (12) May promulgate such rules and regulations, and perform all
34 other acts not forbidden by law, as the board of trustees may in its
35 discretion deem necessary or appropriate to the administration of the
36 college.

1 **Sec. 814.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to
2 read as follows:

3 In addition to all other powers and duties given to them by law,
4 the board of trustees of The Evergreen State College is hereby
5 authorized to grant any degree through the master's degree to any
6 student who has completed a program of study and/or research in those
7 areas which are determined by the faculty and board of trustees of the
8 college to be appropriate for the granting of such degree(~~(+—PROVIDED,~~
9 ~~That any degree authorized under this section shall be subject to the~~
10 ~~review and approval of the higher education coordinating board))~~).

11 The board of trustees, upon recommendation of the faculty, may also
12 confer honorary bachelor's or master's degrees upon persons other than
13 graduates of the institution, in recognition of their learning or
14 devotion to education, literature, art, or science. No degree may be
15 conferred in consideration of the payment of money or the donation of
16 any kind of property.

17 **Sec. 815.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each
18 amended to read as follows:

19 Central Washington University is responsible for providing upper-
20 division and graduate level higher education programs to the citizens
21 of the Yakima area(~~(, under rules or guidelines adopted by the higher~~
22 ~~education coordinating board))~~).

23 **Sec. 816.** RCW 28B.50.810 and 2010 c 245 s 3 are each amended to
24 read as follows:

25 (1) The college board may select community or technical colleges to
26 develop and offer programs of study leading to applied baccalaureate
27 degrees. Colleges may submit applications to the college board. The
28 college board (~~(and the higher education coordinating board))~~) shall
29 review the applications and select the colleges using objective
30 criteria, including, but not limited to:

31 (a) The college demonstrates the capacity to make a long-term
32 commitment of resources to build and sustain a high quality program;

33 (b) The college has or can readily engage faculty appropriately
34 qualified to develop and deliver a high quality curriculum at the
35 baccalaureate level;

1 (c) The college can demonstrate demand for the proposed program
2 from a sufficient number of students within its service area to make
3 the program cost-effective and feasible to operate;

4 (d) The college can demonstrate that employers demand the level of
5 technical training proposed within the program, making it cost-
6 effective for students to seek the degree; and

7 (e) The proposed program fills a gap in options available for
8 students because it is not offered by a public four-year institution of
9 higher education in the college's geographic area.

10 (2) A college selected under this section may develop the
11 curriculum for and design and deliver courses leading to an applied
12 baccalaureate degree. However, degree programs developed under this
13 section are subject to approval by the college board under RCW
14 28B.50.090 (~~and by the higher education coordinating board under RCW~~
15 ~~28B.76.230 before a college may enroll students in upper division~~
16 ~~courses~~)).

17 **Sec. 817.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to
18 read as follows:

19 (1) The board and the state auditor shall collaborate with the
20 joint legislative audit and review committee regarding performance
21 audits of state government.

22 (a) The board shall establish criteria for performance audits
23 consistent with the criteria and standards followed by the joint
24 legislative audit and review committee. This criteria shall include,
25 at a minimum, the auditing standards of the United States government
26 accountability office, as well as legislative mandates and performance
27 objectives established by state agencies and the legislature. Mandates
28 include, but are not limited to, agency strategies, timelines, program
29 objectives, and mission and goals as required in RCW 43.88.090.

30 (b) Using the criteria developed in (a) of this subsection, the
31 state auditor shall contract for a statewide performance review to be
32 completed as expeditiously as possible as a preliminary to a draft work
33 plan for conducting performance audits. The board and the state
34 auditor shall develop a schedule and common methodology for conducting
35 these reviews. The purpose of these performance reviews is to identify
36 those agencies, programs, functions, or activities most likely to

1 benefit from performance audits and to identify likely areas warranting
2 early review, taking into account prior performance audits, if any, and
3 prior fiscal audits.

4 (c) The board and the state auditor shall develop the draft work
5 plan for performance audits based on input from citizens, state
6 employees, including front-line employees, state managers, chairs and
7 ranking members of appropriate legislative committees, the joint
8 legislative audit and review committee, public officials, and others.
9 The draft work plan may include a list of agencies, programs, or
10 systems to be audited on a timeline decided by the board and the state
11 auditor based on a number of factors including risk, importance, and
12 citizen concerns. When putting together the draft work plan, there
13 should be consideration of all audits and reports already required. On
14 average, audits shall be designed to be completed as expeditiously as
15 possible.

16 (d) Before adopting the final work plan, the board shall consult
17 with the legislative auditor and other appropriate oversight and audit
18 entities to coordinate work plans and avoid duplication of effort in
19 their planned performance audits of state government agencies. The
20 board shall defer to the joint legislative audit and review committee
21 work plan if a similar audit is included on both work plans for
22 auditing.

23 (e) The state auditor shall contract out for performance audits.
24 In conducting the audits, agency front-line employees and internal
25 auditors should be involved.

26 (f) All audits must include consideration of reports prepared by
27 other government oversight entities.

28 (g) The audits may include:

29 (i) Identification of programs and services that can be eliminated,
30 reduced, consolidated, or enhanced;

31 (ii) Identification of funding sources to the state agency, to
32 programs, and to services that can be eliminated, reduced,
33 consolidated, or enhanced;

34 (iii) Analysis of gaps and overlaps in programs and services and
35 recommendations for improving, dropping, blending, or separating
36 functions to correct gaps or overlaps;

37 (iv) Analysis and recommendations for pooling information

1 technology systems used within the state agency, and evaluation of
2 information processing and telecommunications policy, organization, and
3 management;

4 (v) Analysis of the roles and functions of the state agency, its
5 programs, and its services and their compliance with statutory
6 authority and recommendations for eliminating or changing those roles
7 and functions and ensuring compliance with statutory authority;

8 (vi) Recommendations for eliminating or changing statutes, rules,
9 and policy directives as may be necessary to ensure that the agency
10 carry out reasonably and properly those functions vested in the agency
11 by statute;

12 (vii) Verification of the reliability and validity of agency
13 performance data, self-assessments, and performance measurement systems
14 as required under RCW 43.88.090;

15 (viii) Identification of potential cost savings in the state
16 agency, its programs, and its services;

17 (ix) Identification and recognition of best practices;

18 (x) Evaluation of planning, budgeting, and program evaluation
19 policies and practices;

20 (xi) Evaluation of personnel systems operation and management;

21 (xii) Evaluation of state purchasing operations and management
22 policies and practices; and

23 (xiii) Evaluation of organizational structure and staffing levels,
24 particularly in terms of the ratio of managers and supervisors to
25 nonmanagement personnel.

26 (h) The state auditor must solicit comments on preliminary
27 performance audit reports from the audited state agency, the office of
28 the governor, the office of financial management, the board, the chairs
29 and ranking members of appropriate legislative committees, and the
30 joint legislative audit and review committee for comment. Comments
31 must be received within thirty days after receipt of the preliminary
32 performance audit report unless a different time period is approved by
33 the state auditor. All comments shall be incorporated into the final
34 performance audit report. The final performance audit report shall
35 include the objectives, scope, and methodology; the audit results,
36 including findings and recommendations; conclusions; and identification
37 of best practices.

1 (i) The board and the state auditor shall jointly release final
2 performance audit reports to the governor, the citizens of Washington,
3 the joint legislative audit and review committee, and the appropriate
4 standing legislative committees. Final performance audit reports shall
5 be posted on the internet.

6 (j) For institutions of higher education, performance audits shall
7 not duplicate, and where applicable, shall make maximum use of existing
8 audit records, accreditation reviews, and performance measures required
9 by the office of financial management(~~(~~7~~—~~the~~—~~higher~~—~~education~~~~
10 ~~coordinating~~—~~board~~,)) and nationally or regionally recognized
11 accreditation organizations including accreditation of hospitals
12 licensed under chapter 70.41 RCW and ambulatory care facilities.

13 (2) The citizen board created under RCW 44.75.030 shall be
14 responsible for performance audits for transportation related agencies
15 as defined under RCW 44.75.020.

16 **Sec. 818.** RCW 43.43.934 and 2010 1st sp.s. c 7 s 45 are each
17 amended to read as follows:

18 The director of fire protection shall:

19 (1)(a)(i) With the state board for community and technical
20 colleges, provide academic, vocational, and field training programs for
21 the fire service; and (ii) with the (~~(~~higher~~—~~education~~—~~coordinating~~~~
22 ~~board~~—~~and~~—~~the~~)) state colleges and universities, provide instructional
23 programs requiring advanced training, especially in command and
24 management skills;

25 (b) Cooperate with the common schools, technical and community
26 colleges, institutions of higher education, and any department or
27 division of the state, or of any county or municipal corporation in
28 establishing and maintaining instruction in fire service training and
29 education in accordance with any act of congress and legislation
30 enacted by the legislature in pursuance thereof and in establishing,
31 building, and operating training and education facilities.

32 Industrial fire departments and private fire investigators may
33 participate in training and education programs under this chapter for
34 a reasonable fee established by rule;

35 (c) Develop and adopt a master plan for constructing, equipping,
36 maintaining, and operating necessary fire service training and
37 education facilities subject to the provisions of chapter 43.19 RCW;

1 (d) Develop and adopt a master plan for the purchase, lease, or
2 other acquisition of real estate necessary for fire service training
3 and education facilities in a manner provided by law; and

4 (e) Develop and adopt a plan with a goal of providing firefighter
5 one and wildland training to all firefighters in the state. Wildland
6 training reimbursement will be provided if a fire protection district
7 or a city fire department has and is fulfilling their interior attack
8 policy or if they do not have an interior attack policy. The plan will
9 include a reimbursement for fire protection districts and city fire
10 departments of not less than three dollars for every hour of
11 firefighter one or wildland training. The Washington state patrol
12 shall not provide reimbursement for more than two hundred hours of
13 firefighter one or wildland training for each firefighter trained.

14 (2)(a) Promote mutual aid and disaster planning for fire services
15 in this state;

16 (b) Assure the dissemination of information concerning the amount
17 of fire damage including that damage caused by arson, and its causes
18 and prevention; and

19 (c) Implement any legislation enacted by the legislature to meet
20 the requirements of any acts of congress that apply to this section.

21 (3) In carrying out its statutory duties, the office of the state
22 fire marshal shall give particular consideration to the appropriate
23 roles to be played by the state and by local jurisdictions with fire
24 protection responsibilities. Any determinations on the division of
25 responsibility shall be made in consultation with local fire officials
26 and their representatives.

27 To the extent possible, the office of the state fire marshal shall
28 encourage development of regional units along compatible geographic,
29 population, economic, and fire risk dimensions. Such regional units
30 may serve to: (a) Reinforce coordination among state and local
31 activities in fire service training, reporting, inspections, and
32 investigations; (b) identify areas of special need, particularly in
33 smaller jurisdictions with inadequate resources; (c) assist the state
34 in its oversight responsibilities; (d) identify funding needs and
35 options at both the state and local levels; and (e) provide models for
36 building local capacity in fire protection programs.

1 **Sec. 819.** RCW 43.43.938 and 2010 1st sp.s. c 7 s 46 are each
2 amended to read as follows:

3 (1) Wherever the term state fire marshal appears in the Revised
4 Code of Washington or the Washington Administrative Code it shall mean
5 the director of fire protection.

6 (2) The chief of the Washington state patrol shall appoint an
7 officer who shall be known as the director of fire protection.

8 (3) The director of fire protection may designate one or more
9 deputies and may delegate to those deputies his or her duties and
10 authorities as deemed appropriate.

11 (4) The director of fire protection shall prepare a biennial budget
12 pertaining to fire protection services. Such biennial budget shall be
13 submitted as part of the Washington state patrol's budget request.

14 (5) The director of fire protection, shall implement and
15 administer, within constraints established by budgeted resources, all
16 duties of the chief of the Washington state patrol that are to be
17 carried out through the director of fire protection, and all of the
18 duties of the director of fire protection. Such administration shall
19 include negotiation of agreements with the state board for community
20 and technical colleges(~~(, the higher education coordinating board,)~~)
21 and the state colleges and universities as provided in RCW 43.43.934.
22 Programs covered by such agreements shall include, but not be limited
23 to, planning curricula, developing and delivering instructional
24 programs and materials, and using existing instructional personnel and
25 facilities. Where appropriate, such contracts shall also include
26 planning and conducting instructional programs at the state fire
27 service training center.

28 **Sec. 820.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to
29 read as follows:

30 (1) The department shall assist veterans enrolled in the veterans
31 conservation corps with obtaining employment in conservation programs
32 and projects that restore Washington's natural habitat, maintain and
33 steward local, state, and federal forest lands and other outdoor lands,
34 maintain and improve urban and suburban storm water management
35 facilities and other water management facilities, and other
36 environmental maintenance, stewardship, and restoration projects. The
37 department shall consult with the workforce training and education

1 coordinating board, the state board for community and technical
2 colleges, (~~the higher education coordinating board,~~) the employment
3 security department, and other state agencies administering
4 conservation corps programs, to incorporate training, education, and
5 certification in environmental restoration and management fields into
6 the program. The department may enter into agreements with community
7 colleges, private schools, state or local agencies, or other entities
8 to provide training and educational courses as part of the enrollee
9 benefits from the program.

10 (2) The department may receive gifts, grants, federal funds, or
11 other moneys from public or private sources, for the use and benefit of
12 the veterans conservation corps program. The funds shall be deposited
13 to the veterans conservation corps account created in RCW 43.60A.153.

14 (3) The department shall submit a report to the appropriate
15 committees of the legislature by December 1, 2008, on the status of the
16 veterans conservation corps program, including the number of enrollees
17 employed in projects, training provided, certifications earned,
18 employment placements achieved, program funding provided from all
19 sources, and the results of the pilot project authorized in section 4,
20 chapter 451, Laws of 2007.

21 **Sec. 821.** RCW 43.88D.010 and 2010 c 245 s 9 are each amended to
22 read as follows:

23 (1) By October 1st of each even-numbered year, the office of
24 financial management shall complete an objective analysis and scoring
25 of all capital budget projects proposed by the public four-year
26 institutions of higher education and submit the results of the scoring
27 process to the legislative fiscal committees(~~, the higher education~~
28 ~~coordinating board,~~) and the four-year institutions. Each project
29 must be reviewed and scored within one of the following categories,
30 according to the project's principal purpose. Each project may be
31 scored in only one category. The categories are:

32 (a) Access-related projects to accommodate enrollment growth at
33 main and branch campuses, at existing or new university centers, or
34 through distance learning. Growth projects should provide significant
35 additional student capacity. Proposed projects must demonstrate that
36 they are based on solid enrollment demand projections, more

1 cost-effectively provide enrollment access than alternatives such as
2 university centers and distance learning, and make cost-effective use
3 of existing and proposed new space;

4 (b) Projects that replace failing permanent buildings. Facilities
5 that cannot be economically renovated are considered replacement
6 projects. New space may be programmed for the same or a different use
7 than the space being replaced and may include additions to improve
8 access and enhance the relationship of program or support space;

9 (c) Projects that renovate facilities to restore building life and
10 upgrade space to meet current program requirements. Renovation
11 projects should represent a complete renovation of a total facility or
12 an isolated wing of a facility. A reasonable renovation project should
13 cost between sixty to eighty percent of current replacement value and
14 restore the renovated area to at least twenty-five years of useful
15 life. New space may be programmed for the same or a different use than
16 the space being renovated and may include additions to improve access
17 and enhance the relationship of program or support space;

18 (d) Major stand-alone campus infrastructure projects;

19 (e) Projects that promote economic growth and innovation through
20 expanded research activity. The acquisition and installation of
21 specialized equipment is authorized under this category; and

22 (f) Other project categories as determined by the office of
23 financial management in consultation with the legislative fiscal
24 committees.

25 (2) The office of financial management, in consultation with the
26 legislative fiscal committees, shall establish a scoring system and
27 process for each four-year project category that is based on the
28 framework used in the community and technical college system of
29 prioritization. Staff from the state board for community and technical
30 colleges(~~(, the higher education coordinating board,)~~) and the four-
31 year institutions shall provide technical assistance on the development
32 of a scoring system and process.

33 (3) The office of financial management shall consult with the
34 legislative fiscal committees in the scoring of four-year institution
35 project proposals, and may also solicit participation by independent
36 experts.

37 (a) For each four-year project category, the scoring system must,
38 at a minimum, include an evaluation of enrollment trends,

1 reasonableness of cost, the ability of the project to enhance specific
2 strategic master plan goals, age and condition of the facility if
3 applicable, and impact on space utilization.

4 (b) Each four-year project category may include projects at the
5 predesign, design, or construction funding phase.

6 (c) To the extent possible, the objective analysis and scoring
7 system of all capital budget projects shall occur within the context of
8 any and all performance agreements between the office of financial
9 management and the governing board of a public, four-year institution
10 of higher education that aligns goals, priorities, desired outcomes,
11 flexibility, institutional mission, accountability, and levels of
12 resources.

13 (4) In evaluating and scoring four-year institution projects, the
14 office of financial management shall take into consideration project
15 schedules that result in realistic, balanced, and predictable
16 expenditure patterns over the ensuing three biennia.

17 (5) The office of financial management shall distribute common
18 definitions, the scoring system, and other information required for the
19 project proposal and scoring process as part of its biennial budget
20 instructions. The office of financial management, in consultation with
21 the legislative fiscal committees, shall develop common definitions
22 that four-year institutions must use in developing their project
23 proposals and lists under this section.

24 (6) In developing any scoring system for capital projects proposed
25 by the four-year institutions, the office of financial management:

26 (a) Shall be provided with all required information by the four-
27 year institutions as deemed necessary by the office of financial
28 management;

29 (b) May utilize independent services to verify, sample, or evaluate
30 information provided to the office of financial management by the four-
31 year institutions; and

32 (c) Shall have full access to all data maintained by the (~~higher~~
33 ~~education-coordinating-board-and-the~~) joint legislative audit and
34 review committee concerning the condition of higher education
35 facilities.

36 (7) By August 1st of each even-numbered year each public four-year
37 higher education institution shall prepare and submit prioritized lists
38 of the individual projects proposed by the institution for the ensuing

1 six-year period in each category. The lists must be submitted to the
2 office of financial management and the legislative fiscal committees.
3 The four-year institutions may aggregate minor works project proposals
4 by primary purpose for ranking purposes. Proposed minor works projects
5 must be prioritized within the aggregated proposal, and supporting
6 documentation, including project descriptions and cost estimates, must
7 be provided to the office of financial management and the legislative
8 fiscal committees.

9 **PART IX**

10 **MISCELLANEOUS PROVISIONS**

11 **Sec. 901.** 2011 1st sp.s. c 11 s 244 (uncodified) is amended to
12 read as follows:

13 The following acts or parts of acts, as now existing or hereafter
14 amended, are each repealed, effective July 1, 2012:

- 15 (1) RCW 28B.76.010 (Board created) and 1985 c 370 s 1;
- 16 (2) RCW 28B.76.030 (Purpose) and 2004 c 275 s 1;
- 17 (3) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002
18 c 129 s 1, & 1985 c 370 s 10;
- 19 (4) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c
20 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;
- 21 (5) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;
- 22 (6) RCW 28B.76.070 (Bylaws--Meetings) and 1985 c 370 s 13;
- 23 (7) RCW 28B.76.080 (Members--Compensation and travel expenses) and
24 1985 c 370 s 16, 1984 c 287 s 65, 1975-'76 2nd ex.s. c 34 s 77, & 1969
25 ex.s. c 277 s 12;
- 26 (8) RCW 28B.76.200 (Statewide strategic master plan for higher
27 education--Institution-level strategic plans) and 2007 c 458 s 201,
28 2004 c 275 s 6, & 2003 c 130 s 2;
- 29 (9) RCW 28B.76.260 (Statewide system of course equivalency--Work
30 group) and 2004 c 55 s 3;
- 31 (10) (~~RCW 28B.76.280 (Data collection and research Privacy~~
32 ~~protection) and 2010 1st sp.s. c 7 s 58 & 2004 c 275 s 12;~~
33 ~~(11))~~) RCW 28B.76.330 (Coordination, articulation, and transitions
34 among systems of education--Biennial updates to legislature) and 2004
35 c 275 s 17 & 1994 c 222 s 3; and

1 (~~(12)~~) (11) RCW 28B.76.530 (Board may develop and administer
2 demonstration projects) and 1989 c 306 s 2.

3 NEW SECTION. **Sec. 902.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 28B.10.682 (Precollege coursework--Adoption of definitions)
6 and 1995 c 310 s 2;

7 (2) RCW 28B.15.732 (Washington/Oregon reciprocity tuition and fee
8 program--Reimbursement when greater net revenue loss) and 2011 1st
9 sp.s. c 11 s 153, 1985 c 370 s 70, & 1979 c 80 s 2;

10 (3) RCW 28B.15.752 (Washington/Idaho reciprocity tuition and fee
11 program--Reimbursement when greater net revenue loss) and 2011 1st
12 sp.s. c 11 s 154, 1985 c 370 s 74, & 1983 c 166 s 2;

13 (4) RCW 28B.15.796 (Effective communication--Task force to improve
14 communication and teaching skills of faculty and teaching assistants)
15 and 1991 c 228 s 4;

16 (5) RCW 28B.20.280 (Masters and doctorate level degrees in
17 technology authorized--Review by higher education coordinating board)
18 and 1985 c 370 s 82 & 1983 1st ex.s. c 72 s 10;

19 (6) RCW 28B.30.500 (Masters and doctorate level degrees in
20 technology authorized--Review by higher education coordinating board)
21 and 1985 c 370 s 83 & 1983 1st ex.s. c 72 s 12; and

22 (7) RCW 43.88D.005 (Findings--Intent) and 2008 c 205 s 1.

23 NEW SECTION. **Sec. 903.** Sections 1 and 102 through 108 of this act
24 are each added to chapter 28B.77 RCW.

25 NEW SECTION. **Sec. 904.** RCW 28B.76.110, 28B.76.210, 28B.76.230,
26 28B.76.235, 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.270,
27 28B.76.280, 28B.76.325, 28B.76.510, and 28B.76.695 are each recodified
28 as sections in chapter 28B.77 RCW.

29 NEW SECTION. **Sec. 905.** RCW 28B.76.310 is recodified as a section
30 in chapter 43.41 RCW.

31 NEW SECTION. **Sec. 906.** RCW 28B.10.125 is decodified.

1 NEW SECTION. **Sec. 907.** Sections 570 and 609 of this act expire
2 June 30, 2013.

3 NEW SECTION. **Sec. 908.** Sections 101, 117, 401, 402, 501 through
4 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904 of
5 this act take effect July 1, 2012.

 Passed by the House March 8, 2012.

 Passed by the Senate March 8, 2012.

 Approved by the Governor March 30, 2012, with the exception of
 certain items that were vetoed.

 Filed in Office of Secretary of State March 30, 2012.

 Note: Governor's explanation of partial veto is as follows:

 "I am returning herewith, without my approval as to Section 570,
Engrossed Second Substitute House Bill 2483 entitled:

 "AN ACT Relating to higher education coordination."

 The Legislature has passed two bills this session amending RCW
28B.117.020. To prevent a conflicting double amendment, I am vetoing
Section 570 of Engrossed Second Substitute House Bill 2483. This
section would correct a reference to the Higher Education Coordinating
Board in RCW 28B.117.020. Substitute House Bill 2254 eliminates the
reference and obviates the need for correction.

 For this reason I have vetoed Section 570 of Engrossed Second
Substitute House Bill 2483.

 With the exception of Section 570, Engrossed Second Substitute House
Bill 2483 is approved."